

R E P O R T

FROM THE

SELECT COMMITTEE

ON

MUNICIPAL REGULATION (CONSTABULARY, &c.) (BELFAST) BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

M I N U T E S O F E V I D E N C E,

A N D A P P E N D I X.

*Ordered, by The House of Commons, to be Printed,
15 August 1887.*

LONDON:
PRINTED BY HENRY HANSARD AND SON,
AND
Published by EYRE and SPOTTISWOODE, East Harding-street, London, E.C.,
and 22, Abingdon-street, Westminster, S.W.
ANAN and CHARLES BLACK, North Bridge, Edinburgh;
and HODGES, FISHER, and Co., 104, Grafton-street, Dublin.

Ordered,—[*Thursday, 4th August 1887*]:—THAT the MUNICIPAL REGULATION (CONSTABULARY, &c.) (BELFAST) Bill be referred to a Select Committee of Seven Members, Four to be nominated by the House, and Three by the Committee of Selection.

THAT all Petitions against the Bill, presented two clear days before the meeting of the Committee, be referred to the Committee; that the Petitioners praying to be heard by themselves, their Counsel, or Agents, be heard against the Bill, and Counsel heard in support of the Bill.

THAT the Committee have power to send for Persons, Papers, and Records.

THAT Three be the Quorum of the Committee.

Committee nominated of—

Mr. Whitley.	}	Nominated by the House. [<i>Friday, 5th August 1887.</i>]
Sir James Corry.		
Mr. Sexton.		
Colonel King-Harman.		
Mr. James Campbell (Glasgow University).	}	Added by the Committee of Selection. [<i>Friday, 5th August 1887.</i>]
Mr. Picton.		
Mr. Lawson.		

Ordered, THAT it be an Instruction to the Select Committee on Municipal Regulation (Constabulary, &c.) (Belfast) Bill that they do report the Bill on or before Monday, 15th August.

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R E P O R T.

THE SELECT COMMITTEE on the MUNICIPAL REGULATION (CONSTABULARY, &c.) (BELFAST) BILL;—HAVE considered the said Bill, and taken Evidence thereon, which they have agreed to Report to the House, and have gone through the Bill, and made Amendments thereunto.

15 August 1887.

PROCEEDINGS OF THE COMMITTEE.

Monday, 8th August 1887.

MEMBERS PRESENT:

Mr. Sexton.
Mr. James Campbell.
Mr. Pierson.
Colonel King-Harman

Sir James Corry.
Mr. Lawson.
Mr. Whitley.

Colonel KING-HARMAN was called to the Chair.

The Committee deliberated.

[Adjourned till Thursday, 11th August, at One o'clock.

Thursday, 11th August 1887.

MEMBERS PRESENT:

Colonel KING-HARMAN in the Chair.

Sir James Corry.
Mr. Pierson.
Mr. Whitley.

Mr. James Campbell.
Mr. Lawson.
Mr. Sexton.

Mr. *Mezey Thompson* addressed the Committee on behalf of the Promoters of the Bill.

Sir *Robert Butler* and Mr. *Thynne*, Deputy Inspector of the Royal Irish Constabulary, were sworn, and examined.

[Adjourned till To-morrow, at Twelve o'clock.

Friday, 12th August 1887.

MEMBERS PRESENT:

Colonel KING-HARMAN in the Chair.

Sir James Corry.
Mr. James Campbell.
Mr. Pierson.

Mr. Lawson.
Mr. Whitley.
Mr. Sexton.

Mr. *Bidder*, Q.C., addressed the Committee on behalf of the Belfast Harbour Commissioners.

Mr. *William Alexander Currie*, sworn, and examined.

Mr. *Henry Thynne*, Deputy Inspector of the Royal Irish Constabulary, re-called, and examined.

Mr. *James Haslett* did affirm, and was examined.

Mr. *McCannell* addressed the Committee on behalf of the Corporation of Belfast.

Mr. *Bidder* again addressed the Committee.

Mr. *Thomas Hamilton*, Resident Magistrate at Armagh, sworn, and examined.

Mr. *James Haslett*, re-called, and examined.

Mr.

Mr. Robert L. Hamilton, sworn, and examined.

Mr. Richard Peterson, sworn, and examined.

Mr. James Hoslett, re-called, and examined.

[Adjourned till To-morrow, at Twelve o'clock.

Saturday, 13th August 1887.

MEMBERS PRESENT:

Colonel KING-HARMAN in the Chair.

Sir James Corry.
Mr. James Campbell.
Mr. Lawson.

Mr. Sexton.
Mr. Picton.
Mr. Whitley.

Mr. Alexander Bousman, did affirm, and was examined.

Rev. John Tait, Dr. Alexander Dunsany, Mr. Thomas McClelland, Mr. Edward Hughes, and Mr. William O'Hare, were sworn, and examined.

[Adjourned till Monday, at Twelve o'clock.

Monday, 15th August 1887.

MEMBERS PRESENT:

Colonel KING-HARMAN in the Chair.

Sir James Corry.
Mr. Sexton.
Mr. Picton.

Mr. Lawson.
Mr. James Campbell.
Mr. Whitley.

Mr. McCannell addressed the Committee on behalf of the Corporation of Belfast.

Clause 1.—Amendments made.

Another Amendment proposed, in line 8, to leave out from the word "each" to the word "bar," in line 10, in order to insert the words "resident magistrates"—(Mr. Sexton).—Question put, That the words proposed to be left out stand part of the Clause.—The Committee divided:

Ayes, 4.
Mr. James Campbell.
Sir James Corry.
Mr. Lawson.
Mr. Whitley.

Noes, 2.
Mr. Picton.
Mr. Sexton.

Another Amendment proposed, in line 8, after the word "person," to insert the words "shall be either a resident magistrate of sufficient legal knowledge or"—(Sir James Corry).—Question put, That these words be there inserted.—The Committee divided:

Ayes, 3.
Sir James Corry.
Mr. Picton.
Mr. Whitley.

Noes, 3.
Mr. James Campbell.
Mr. Lawson.
Mr. Sexton.

Whereupon the Chairman declared himself with the Ayes.

Another Amendment proposed, in line 12, after the word "borough," to insert the words "but he shall not act on occasions of riot or disorder in any other than a judicial capacity"—(The Chairman).—Question, That those words be there inserted,—put, and agreed to.

Another Amendment proposed, in line 13, to leave out from the word "such" to the word "determine," in line 14, in order to insert the words "one thousand pounds per annum"—(Mr. Sexton).—Question, That the words proposed to be left out stand part of the Clause,—put, and negatived.

Question put, That these words be there inserted.—The Committee divided:

Ayes, 4.
Sir James Corry.
Mr. Lawson.
Mr. Picton.
Mr. Sexton.

Noes, 2.
Mr. James Campbell.
Mr. Whitley.

Another Amendment proposed, in line 14, to leave out from the word "one" to the word "rate," in line 14—(Mr. Sexton).—Question put, That the words proposed to be left out stand part of the Clause.—The Committee divided:

Ayes, 4.	Noes, 2.
Mr. James Campbell	Sir James Corry.
Mr. Lawson.	Mr. Sexton.
Mr. Picton.	
Mr. Whitley.	

§ Another Amendment proposed, in line 18, to leave out from the word "from" to the word "sessions," in line 22—(Sir James Corry).—Question put, That the words proposed to be left out stand part of the clause.—The Committee divided:

Ayes, 4.	Noes, 2.
Mr. James Campbell.	Sir James Corry.
Mr. Lawson.	Mr. Whitley.
Mr. Picton.	
Mr. Sexton.	

Another Amendment proposed, in line 22, after the word "sessions" to insert the following words: "after the passing of this Act, only such justices of the peace as are resident magistrates, or officers in the active military service of the Crown, shall have authority to act in the suppression of disorder or in direction of any police or troops employed in the restoration of order or preservation of peace within the said borough"—(Mr. Sexton).—Question put, That those words be there inserted.—The Committee divided:

Ayes, 3.	Noes, 3.
Mr. Lawson.	Mr. James Campbell.
Mr. Picton.	Sir James Corry.
Mr. Sexton.	Mr. Whitley.

Whereupon the Chairman declared himself with the Noes.

Another Amendment proposed, at the end of Clause 1, to add the following words: "and that they shall sit and act together for the exercise of any summary jurisdiction conferred by the Criminal Law and Procedure (Ireland) Act, 1887."—Question put, That those words be there added.—(Mr. Sexton).—The Committee divided:

Ayes, 3.	Noes, 3.
Mr. Lawson.	Mr. James Campbell.
Mr. Picton.	Sir James Corry.
Mr. Sexton.	Mr. Whitley.

Whereupon the Chairman declared himself with the Noes.

Clause, as amended, agreed to.

Clause 2.—Amendment proposed, at end of Clause 2, after Sub-section 3, to add the words "he shall, by virtue of his office, be a justice of the peace for the borough"—(Mr. Sexton).—Question, That those words be there added,—put, and agreed to.

Clause, as amended, agreed to.

Clause 3.—Amendment proposed, to leave out Clause 3—(Mr. Sexton).—Amendment, by leave, withdrawn.—Question put, That the first sub-section of Clause 3 stand part of the Bill.—The Committee divided:

Ayes, 3.	Noes, 3.
Mr. James Campbell.	Mr. Lawson.
Sir James Corry.	Mr. Picton.
Mr. Whitley.	Mr. Sexton.

Whereupon the Chairman declared himself with the Ayes.

Another Amendment proposed, in line 36, after the word "of" to insert the words "the Mayor of Belfast for the time being, the general officer for the time being commanding the district, the Commissioner of Police for Belfast, and two members annually nominated by the Lord Lieutenant"—(Mr. Sexton).—Question put, That those words be there inserted.—The Committee divided:

Ayes, 3.	Noes, 3.
Mr. Lawson.	Mr. James Campbell.
Mr. Picton.	Sir James Corry.
Mr. Sexton.	Mr. Whitley.

Whereupon the Chairman declared himself with the Noes.

Another

Another Amendment proposed, in line 39, to leave out the word "three," in order to insert the word "two"—(Mr. Sexton).—Question put, That the word "three" stand part of the Clause.—The Committee divided:

Ayes, 3.

Mr. James Campbell.
Sir James Corry.
Mr. Whitley.

Noes, 3.

Mr. Lawson.
Mr. Picton.
Mr. Sexton.

Whereupon the Chairman declared himself with the Ayes.

Another Amendment proposed, in line 40, to leave out the word "two," in order to insert the word "one"—(Sir James Corry).—Question put, That the word "two" stand part of the Clause.—The Committee divided:

Ayes, 3.

Mr. James Campbell.
Sir James Corry.
Mr. Whitley.

Noes, 3.

Mr. Lawson.
Mr. Picton.
Mr. Sexton.

Whereupon the Chairman declared himself with the Ayes.

Another Amendment proposed, in page 3, line 5, after the word "Peace," to insert the words "a member of the town council shall not be qualified to be a member of the watch committee on the nomination of the Lord Lieutenant"—(Mr. Lawson).—Question, That these words be there inserted,—put, and agreed to.

Clause, as amended, agreed to.

Clause 4.—Amendment proposed, in line 5, to leave out from the word "watch" to the word "meeting"—(Mr. Sexton).—Question proposed, That the words proposed to be left out stand part of the Clause.—The Committee divided:

Ayes, 3.

Mr. James Campbell.
Sir James Corry.
Mr. Whitley.

Noes, 3.

Mr. Lawson.
Mr. Picton.
Mr. Sexton.

Whereupon the Chairman declared himself with the Ayes.

Another Amendment proposed, in line 16, to insert after the word "abund" the words "by reading"—(Mr. Sexton).—Question put, That these words be there inserted.—The Committee divided:

Ayes, 3.

Mr. James Campbell.
Sir James Corry.
Mr. Whitley.

Noes, 3.

Mr. Lawson.
Mr. Picton.
Mr. Sexton.

Whereupon the Chairman declared himself with the Noes.

Another Amendment proposed, in line 33, to insert after the word "which" the word "such"—(Mr. Sexton).—Question put, That the word "such" be there inserted.—The Committee divided:

Ayes, 3.

Mr. Lawson.
Mr. Picton.
Mr. Sexton.

Noes, 3.

Mr. James Campbell.
Sir James Corry.
Mr. Whitley.

Whereupon the Chairman declared himself with the Noes.

Amendment proposed at the end of Clause 4, to add the following words:—" (5.) Every order of the watch committee shall be in writing, and public notice thereof shall be given in such manner as the watch committee may direct"—(The Chairman).—Question, That those words be there added,—put, and agreed to.—Clause, as amended, agreed to.

Clause 5.—Amendment proposed, in line 1, to leave out the words "the passing of this Act," in order to insert the words "on and after the 1st of June next," instead thereof.—(Mr. Sexton).—Question put, That the words proposed to be left out stand part of the Clause.—The Committee divided:

Ayes, 3.

Mr. James Campbell.
Sir James Corry.
Mr. Whitley.

Noes, 3.

Mr. Lawson.
Mr. Picton.
Mr. Sexton.

Whereupon the Chairman declared himself with the Ayes.

Another Amendment proposed, in line 5, after the word "as" to insert the words "may be awarded by an arbitrator appointed from time to time by the Lord Lieutenant"—(Mr. Sexton).—Question put, That those words be there inserted.—The Committee divided:

Ayes, 5.

Mr. James Campbell.
Mr. Lawson.
Mr. Picton.
Mr. Sexton.
Mr. Whitley.

Noes, 1.

Sir James Corry.

Clause, as amended, *agreed to*.

Clause 6, *disagreed to*.

Clauses 7—15, amended, and *agreed to*.

New Clause, in lieu of Clause 6 (Mode of awarding Compensation), brought up, and read the first and second time, and *agreed to*.

Amendment proposed, to insert the following new Clause in the Bill after Clause 12:—"The Belfast Harbour Commissioners shall in respect of any addition to or portion of the general purposes rate to be assessed or levied for any of the purposes of this Act, be assessed and liable for or on account of such portion or addition in respect of their docks, quays, timber ponds, railways or tramways, in the proportion of one fourth part only of the net annual value of such docks, quays, timber ponds, railways, or tramways"—(The Chairman).—Question, That this Clause be here inserted,—*put*, and *negotiated*.

Ordered, To Report the Bill, as amended, together with Minutes of Evidence to the House.

EXPENSES OF WITNESSES.

NAME or WITNESS.	Profession or Condition.	From witness Examined.	Number of Days Absent from House, under Orders of Committee.	Allowance of Gauging Absence from House.	Expenses of Journey to London and back.	TOTAL Expenses allowed to Witness.
Sir Redvers Hall, B.A.M.G.	Under Secretary for Ireland.	Dakka - -	4	£ s. d. 5 4 -	£ s. d. 0 9 -	£ s. d. 15 13 -
Mr. Henry Tyrone - -	Deputy Inspector, Royal Irish Con- stabulary.	Dakka - -	7	7 7 -	0 9 -	15 16 -
Mr. Thomas Henshaw - -	Resident Magistrate.	Arragh - -	5	5 5 -	5 10 -	11 4 -
Mr. Robert L. Hamilton - -	Justice of the Peace.	Belfast - -	4	4 4 -	5 - -	9 4 -
Mr. Richard Peterson - -	" - - -	Belfast - -	4	4 4 -	5 - -	9 4 -
Dr. Michael McGee - -	Physician - -	Belfast - -	4	12 12 -	5 - -	17 12 -
Mr. Alexander Barron - -	Secretary, Protestant Home Rule Asso- ciation.	Belfast - -	6	5 6 -	5 - -	11 6 -
Rev. John Todd - -	Clergyman - -	Belfast - -	6	5 6 -	5 - -	11 6 -
Dr. Alexander Dempsey - -	Physician - -	Belfast - -	6	18 18 -	5 - -	23 18 -
Mr. Thomas McCreesh - -	Justice of the Peace.	Belfast - -	6	6 6 -	5 - -	11 6 -
Mr. Edward Hughes - -	Justice of the Peace.	Belfast - -	6	6 6 -	5 - -	11 6 -
Mr. William O'Hare - -	" - - -	Belfast - -	6	6 6 -	5 - -	11 6 -
TOTALS - - £.				68 4 -	25 17 -	159 1 -

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MINUTES OF EVIDENCE.

Thursday, 11th August 1887.

MEMBERS PRESENT:

Mr. Campbell.
Sir James Corry.
Colonel King-Harman.
Mr. Lawson.

Mr. Pictou.
Mr. Sexton.
Mr. Whitley.

COLONEL KING-HARMAN, IN THE CHAIR.

SIR REDVERS BULLER, sworn.

Examined by Mr. *Meysey Thompson*.

1. You are the Under Secretary for Ireland?—Yes.
2. I believe you are well acquainted with the Bill introduced, and which is now before the Committee?—Yes.
3. You have also, I believe, carefully considered the two Reports of the Commissioners on the riots of last year?—Yes.
4. And the present Bill has been framed for the purpose of meeting the suggestions of those Reports as far as possible?—Yes.
5. I believe you yourself have had considerable part in the preparation of the Bill?—Yes; I have had something to do with it.
6. I think, perhaps, the simplest way will be if we take the Bill, and go through it with you. The first clause of the Bill relates to the appointment of police magistrates; that is in accordance with the recommendation of the majority of the Commissioners?—Yes.
7. Is that, in your opinion, an advisable provision to have with regard to Belfast?—I believe by that provision a barrister of seven years' standing is put in the place of the town magistrates.
8. A barrister of the Irish bar?—Personally I should have preferred the resident magistrate; but I think there ought to be an independent magistrate.
9. Sir James Corry.] Do I understand you to say that you prefer a resident magistrate?—I should have preferred two resident magistrates to two barristers. It seems to me that if a barrister after having been at the Irish bar seven years was not making a sufficient income to prevent his taking such a post as that of police magistrate in Belfast, he would probably be not one of the best members.

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Sir R. BULLER.

[Continued.]

10. *Mr. Meysey Thompson.*] So far as stipendiary magistrates in England are concerned, they are drawn from the same class, are they not?—Yes; I think they should be stipendiary magistrates.

11. They should be stipendiary magistrates, you think; either resident magistrates or barristers of seven years' standing?—Yes.

12. If you can get sufficiently good barristers of seven years' standing?—Yes.

13. The third paragraph of that section suggests that they should be paid a yearly salary, and that one-fourth of that should be paid by the town council of Belfast; you know, I dare say, in England the whole of such salary is paid in that way?—Yes.

14. Do you consider it fair, under the circumstances, to ask that the town council of Belfast should pay one-fourth at least?—I think it the greatest concession that could be made, the least they ought to be asked to pay.

15. Of course the question of the appointment of these police magistrates will require some extra expenditure?—Yes.

16. Extra to what is, at the present moment incurred, in respect of magistrates in Belfast?—Not very much more than is now paid. I understand the intention of the Treasury is to appoint them at a certain rate, and on that to give an increase for service.

17. Quite so. Then, of course, the remainder of the clause which provides that from and after such appointment the borough magistrates shall not exercise jurisdiction, except what they can exercise as a justice out of petty sessions; that is in accordance also with the recommendations of the Commission?—It is.

18. *Mr. Sexton.*] Would you allow me to ask if it was contemplated that when the powers of the Criminal Law Amendment Act are exercised in Belfast, one magistrate may exercise the powers that two stipendiary magistrates exercise elsewhere in Ireland?—One magistrate, as in Dublin.

19. *Mr. Meysey Thompson.*] As in Dublin, and as in London, in the case of police magistrates, and in other towns in England in the case of stipendiary magistrates?—Yes.

Mr. Sexton.] I spoke of the Act limited to Ireland.

20. *Mr. Meysey Thompson.*] What I was meaning was that in all cases where you have a stipendiary magistrate or police magistrates, whether in Dublin or in England, the stipendiary magistrates have power to act in all cases where two magistrates have power?—Yes, they have.

21. With regard to Clause 2, that proposes that the limit under the Act of 1865 shall be raised from 320 to 400?—Yes.

22. And for the night watch from 150 to 266. The night watch is composed, practically, of the same persons as are included in the first part of the 320, is it not?—Yes, it is a financial charge. The town pays a certain sum extra to a certain number of constables employed as night watch.

23. So far as the number of 320 is increased to 400, those are members of the Irish constabulary who are paid for out of the Imperial funds, and then the half of the expenses are repaid to the Imperial funds by the borough of Belfast?—Yes, I believe so. *Mr. Thynne* understands the financial arrangement better than I do.

24. Then, perhaps, he will deal with the whole of that clause?—Yes.

25. Then I will leave that. Now, with regard to Clause 3, the watch committee, that, of course, was not recommended by the majority of the Commissioners?—No.

26. They reported against a committee such as they specify in their Report, and this watch committee, of course, will not have the duties which would have led to the conflict which they anticipated?—The majority of the Commissioners proposed to make what I might describe as a police dictator, the Commissioner of Police was to have full power; but the one member of the

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Sir R. BULLER.

[Continued.]

the Commission, who was a police officer, reported in favour of some body having the power to interfere between the Commissioner of Police for the borough, and the general public.

27. That is the report which is signed by Commander M'Hardy?—Commander M'Hardy.

28. Who was a police officer himself, at one time?—He is now. He is the head policeman in Lanarkshire.

29. Then so far as that section is concerned you would follow his Report, instead of the Report of the majority of the Commission?—Yes, partially.

30. I may ask you generally with regard to that clause, are the provisions of that clause in your opinion suitable and proper provisions for the Borough of Belfast?—Yes, I think it absolutely necessary to have somebody to act as a sort of buffer between the Commissioner of Police in Belfast and the people of Belfast in respect to the particular duties that are mentioned in that clause.

31. It is proposed by Clause 3 that the nominated members shall be: four nominated by the Lord Lieutenant, three by the justices, and two by the Town Council. Is that, in your opinion, a proper mode of nominating these gentlemen?—Yes. There is an amendment shown here making three *ex officio* instead of two, and with that amendment I think the watch committee is as good as can be.

32. I confine you for the moment to the nominated members; by-the-bye, I have not got that amendment upon my copy?—It is the officer commanding the troops in Belfast.

33. The *ex officio* members are "the Mayor of Belfast for the time being, and the general officer for the time being commanding the district, and the officer for the time being commanding the troops in Belfast"; but I do not think we need go into the rest of that clause. Then with regard to Clause 4, the powers with regard to the licensed houses, are the same practically as those which are at present vested in justices in other parts of Ireland, are they not, as to the closing of licensed houses?—Yes, they are the same; except that it was pointed out by the committee, that there was a difficulty with regard to dealing with those people who hold a grocer's license, and that is proposed to be met by this Bill.

34. By the amendment, do you mean?—No, it is in the Bill.

35. You mean that this sub-section now applies to these cases?—Yes.

36. *Chairman.*] The Grocer's Licences?—Yes.

37. *Sir James Corry.*] What clause is that?—

38. *Mr. Meysey Thompson.*] That is Clause 4, Section 2. (*To the Witness.*) Then with regard to those other purposes, those are practically the purposes for which the Commissioners thought that powers ought to be given to the "Police Dictator," as you call him?—Yes, and I think that, if any police officer had those powers, his place in Belfast would not be worth a year's purchase. I think he would be so much exposed to public obloquy if he himself had the power to exercise such very great powers summarily, that it would be better to place between him and the public a committee.

39. Then by Sub-section 4 of Clause 4, "Any person failing to comply with an order of the watch committee made for the purposes of this section, shall be guilty of an offence against this Act." That practically means, does it not, the recommendation of the majority of the Commissioners to extend the powers, that special jurisdiction should be given to the Belfast Petty Sessions to deal summarily with the cases they specify?—Yes.

40. Then with regard to Clause 5 as originally framed, of course that clause dealt with injuries both to property and person; you are aware that that has now been limited to the case of injuries to person. Are you of opinion that it is better that those cases of injuries to person should be determined by some independent body like a watch committee instead of by the town council?

O. 118.

A 2

—The

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Sir R. BULLER.

[Continued.]

—The Bill as originally drafted followed the Report of the Commissioners. I am of opinion that it is absolutely necessary that a watch committee should be established for the purposes of Clause 4, the Town Council could have by this time, I believe, made bye laws to have met those conditions, and they have not done so, and I question whether they are able socially to do so. Therefore it is absolutely necessary to have the watch committee for that reason, and as it is to be established it was thought that it might carry out these other duties, but if the watch committee are admitted merely to do the peace duties, I do not think it would be very important whether the watch committee or the town council did the whole of the financial duties or not.

41. That is as to the compensation?—Yes.

42. But as it stands at present it follows the Report of the Commissioners?—Yes, it does follow the Report of the Commissioners.

43. Then I do not think there is any point raised much with regard to that clause. In regard to Clause 8 that is merely a consequential clause. Then as to Clause 9, of course this compensation must be paid by the Corporation of Belfast out of the local rates?—Yes.

44. And the expenses of the watch committee would, of course, have to be paid out of the local rates; there is no other fund from which they could very well be paid. Then Clauses 10, 11, 12. Clause 10 makes a person guilty of an offence liable to be prosecuted before a court of summary jurisdiction, and "liable on conviction to imprisonment with or without hard labour for a term not exceeding six months, or to a fine not exceeding twenty pounds." That meets the point of the Commissioners that "special jurisdiction should be given to the Belfast Petty Sessions to deal summarily with cases of riot, unlawful assembly and affray, and, in our opinion, that jurisdiction should provide for the punishment of offenders convicted of such crimes, or any crime against order in the town, by substantial and serious punishment."—Yes.

45. That is meant to meet that point?—It is.

Mr. Bidder.] I do not think, Sir, that I can usefully ask Sir Redvers Buller any question on the matter that affects my client.

Cross-examined by Mr. McConnell.

46. What is your acquaintance with Belfast?—I may say I have none personally.

47. Then on the question which you have been mentioning, your evidence is general?—My evidence is general. I used every possible endeavour that I could to hear every side of the question.

48. And derived generally from the Report of what took place before the Commissioners?—Partly from the Report of the Commission, and partly from conversation with people who know Belfast very well.

49. You are yourself personally in favour of two resident magistrates?—I was; yes.

50. And that their salaries should be paid out of the Consolidated Fund?—No, that one-quarter of the salaries should be paid by the town of Belfast.

51. But resident magistrates in Ireland, as I understand, are paid out of the Consolidated Fund?—They are now.

52. And there are at present in Belfast two resident magistrates who are paid in that way?—Yes.

Mr. Sartor.] They are paid out of the Estimates, I think, not out of the Consolidated Fund.

53. Mr. McConnell.] Paid out of the Estimates certainly. (To the Witness.) Will you turn for a moment to Section 5 of the Bill. That awards compensation to any person killed, or maimed, or injured "by any persons riotously and tumultuously assembled together in the borough of Belfast"?—Yes.

54. Would

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Sir R. BULLER.

[Continued.]

54. Would you contemplate under that section compensation to a person injured. Say that he is an employer of labour, and coming home is attacked by three of his workmen on strike, or something of that sort, would you say that he should receive compensation out of the borough funds for a broken head, or an injured body?—That would be a question, would it not, for the watch committee to decide whether he was to be paid or not; it would be guided by the circumstances of the case I mean.

55. Is that the sort of case you anticipate when you give your approval to Clause 5?—I do not think that Clause 5 covers an assault, and as you put your case you rather put a case of an aggravated assault.

56. "By any persons riotously and tumultuously assembled"?—Yes.

57. I suppose you understand the law is, that three persons may constitute a riot if so assembled?—Yes.

58. If three persons agree to attack a passenger that he may receive compensation from the borough, and that the ratepayers may be liable for compensation to him for any injury he may so receive?—You say that that is the law?

59. Not the law at present, pardon me, but that I submit would come under the clause to which you give your approval?—No, I do not think it would.

60. That is not a case you would include and give your approval to?—I do not think that three persons assaulting one man would be considered persons riotously and tumultuously assembled together.

61. Do you think that in a case of that kind compensation should be given?—That would be for the watch committee to decide. Personally myself I do not see why he should have that compensation more than if he was assaulted outside Belfast.

62. You give your approval to the clause drafted as it is, and I should like to know what you profess to approve when you say riotously and tumultuously assembled?—I say the clause does not cover the case you put to me.

63. You do not intend that it should in giving your approval to it?—No, I do not conceive that it does.

64. Mr. Bidder.] I suppose you have not considered the position of the Harbour Commissioners, have you?—I saw their petition.

65. But you have not had any opportunity of going into the question?—No, it is a financial case only.

66. Mr. Bidder.] I do not think, Sir, I ought to occupy your time.

Re-examined by Mr. Meysey Thompson.

67. With regard to these words which my learned friend was referring to, I do not know whether you have compared them with the Metropolitan Police Compensation Act of last Session; the Act to provide compensation for riots. "Where a person suffers, in manner provided by this Act, that a house or shop occupied by him in the metropolitan police district, or in the City of London, was injured or the property therein was injured, stolen, or destroyed by any persons who took part in such riot as aforesaid, such compensation as hereinafter mentioned for such injury, stealing, or destruction shall be paid out of the metropolitan police rate." So that the words of this Bill are precisely the same as those used in the case of the Act of last year.

Mr. McCannell.] If my learned friend will pardon me, that is injury to property.

Mr. Meysey Thompson.] Certainly.

Mr. McCannell.] I did not ask as to injury to property, but as to injury to person.

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Mr. *Meysey Thompson*.] Your point was it might have been three persons making a riot; three persons might break a shop window, so far as that is concerned. The section has been adopted from the Act of last year.

Witness.] Yes, it has been taken from that.

Mr. *McCConnell*.] *Mutatis mutandis*, it has been adopted to personal injury.

Mr. *Meysey Thompson*.] What applies to one applies to the other.

68. Mr. *Scrton*.] I understand you to say you took part in the preparation of the Act?—I did.

69. Is it intended, as recommended by the four Commissioners, that the duties of the police magistrates in Belfast should be solely judicial?—That is intended, and it is for that reason that the police magistrates do not appear on the watch committee; otherwise they would.

70. Do you think there should be one of those magistrates, or two?—One of them; they are barristers.

71. I understand you to say that you agree with the Commissioners on that question. They say that the sole jurisdiction of the petty sessions should be conferred upon two paid magistrates?—They do not say that the two are to sit together.

72. No; but I ask you whether you think that there should be one or two in the town?—Two in the town; I beg your pardon, I misunderstood you.

73. I want to make clear a point I addressed you upon a little time ago. Anywhere in Ireland, except in Belfast, under this Bill, or in Dublin, it is necessary when the powers of the Criminal Law Amendment Act of this Session are exercised, that two stipendiary magistrates shall sit together?—Yes, one of whom is to be a specially selected one.

74. But two stipendiary magistrates?—Two resident magistrates; the resident magistrates are not all of them lawyers.

75. Two stipendiaries?—Yes; but the resident magistrates not being all lawyers, the condition was that there should be two, one of whom should be possessed of satisfactory legal knowledge.

76. Do you consider it satisfactory or safe, knowing what you do know of Belfast, and the possibilities there, that the powers of the criminal law with regard to riot and unlawful assembly should be exercised by one magistrate sitting alone?—Yes, as in Dublin. There is one magistrate also in Dublin who sits alone in exercising the powers.

77. Is not the question of social order much more critical in Belfast at times?—It is.

78. Would not you consider it advisable that two magistrates should sit under that Act?—If I wanted order preserved I think I would rather have one magistrate than two.

79. You remember, of course, that the stipendiaries acting under the Crimes Act can prevent an appeal by measuring the sentence?—Yes.

80. Would not that suggest to you the desirability of having the two sitting together?—No, it would not. I think it is generally understood in nearly all the cases, that if there is a case in which an appeal ought to be allowed they would always increase the sentence. Very frequently in Ireland a sentence of one month and one day is given.

81. But you are aware of cases in which the magistrates have refused to extend the sentence in order that there might be a right of appeal?—There have been such cases.

82. I want to ask you what I am to understand by the provision that the ordinary justices, after this Bill (if it should pass) should only have the jurisdiction of the justices within a petty session. Is it intended that they should have the control or supervision of armed forces in times of disturbances?—It is intended that they should retain all their duties as peace officers other than that of sitting in petty sessions.

83. Then

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83. Then are we to understand that suppose there to be a riot in Belfast the 90 local justices, or any of them, can interfere with the Commissioner of Police?—No; he is entirely independent of them. He is a magistrate himself. As magistrate he is equal, and they have no control over him.

84. Equal; yes, that is what I object to. There must be a great division of power?—I do not see the division of power.

85. The Commissioners in their Report repeatedly say that during the riots of last year the police had about a hundred masters of co-ordinate power?—That is quite true, and this Bill seeks to remedy that.

86. To what extent?—By putting the police under the sole and undivided control of the Commissioner of Police.

87. Let me ask you to imagine the case of a riot breaking out in Belfast to-morrow, and the police or military called out to suppress it; will the local justices, not having been dismissed from the petty sessions bench, have power to take control of the armed forces of the Crown in the restoration of order; or, will that power be confined to the Commissioner of Police and those acting under him?—So far as the police are concerned the Commissioner of Police has control of the police, and the magistrates would have no power to take command, or to give any orders to the police; but no soldiers ever go out to a riot unless they are accompanied by a magistrate. They would not go out of barracks without being accompanied by a magistrate.

88. Is it contemplated that such a man may be an ordinary magistrate?—A soldier when ordered out would try and get a magistrate somewhere. He must have a magistrate, and as regards soldiers the justices would exercise the ordinary powers of justices as in every other town when they go out with soldiers.

89. I suppose you are aware that the four Commissioners attribute some of the most regrettable incidents of the riots, and their long continuance, to the indiscretion of some of the magistrates, or the local justices?—I am aware that they do, partially, yes; but this Bill is to remedy that, and I may say that the lines of this Bill were followed during the last 12th July, and we had then in Belfast, what I believe has never happened before, every newspaper of every shade of opinion speaking of the excellent police arrangements.

90. Now about the watch committee. You were not examined yourself by the Royal Commission, I believe?—I was not.

91. Have you read the evidence taken before it?—Yes, largely.

92. I believe they examined something like 57 members of the police force, ranging from the Inspector General down to the constable?—They examined a great many.

93. Will you tell me whether any one of those 57 police witnesses, or any official witness of any kind or degree examined, because there were 200 examined in Belfast, approved of the formation of a watch committee?—I really do not know.

94. You do not call to mind from your reading of the evidence whether it was so or not?—No; it is six months ago, and I really do not know.

95. Does your memory enable you to say that of the whole 200 witnesses examined by the Commission only three, that is to say, the late mayor and the present mayor of Belfast, and Mr. Ewart, a member of the town council, approved of the formation of this Committee?—No, I cannot say, really; I did read the evidence, but with reference to this Bill, I never studied the question of who supported it in evidence, and who did not.

96. If upon a further examination of the evidence taken before the Royal Commission you find 197 witnesses were not in favour of the watch committee, and that three members of the town council were; would that affect the decision to which your mind might finally come upon the subject?—Not the least. I am perfectly convinced that something of that sort is necessary.

97. The opinion of the town would not affect you upon it?—No, it would not; because I do not think they would be cognizant of the facts upon which to form the opinion.

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98. Am I right in concluding from your evidence that you want the watch committee not so much to preserve the public peace as to protect the Commissioner?—For both reasons. I want the watch committee to make regulations that will preserve the public peace, and I want the watch committee also to a certain degree to protect the Commissioner.

99. You describe it as a buffer between him and the people?—Exactly.

100. I do not think you have been a long time Under Secretary for Ireland, but you know that the chief of the police almost anywhere in Ireland has occasionally to perform duties that are not agreeable to the bulk of the community?—That is so.

101. How is it that the chiefs throughout the bulk of Ireland, except at Belfast, can do without a buffer between themselves and the people?—They have it; because, they either use magistrates to issue proclamations, or they refer to the Castle, and the Castle issues the proclamation; but in the case of riot in Belfast there would not be time. Every police officer that I know of has a buffer of some sort. The London man has; the Dublin man has.

102. If this watch committee be appointed with the powers contemplated in the Bill, how is the responsibility for taking care of the public peace to be made effectual?—The responsibility rests, by this Bill, with the Commissioner of Police.

103. The Commissioner of Police might push it off on to the watch committee, might he not?—I do not think so. He is absolutely responsible for the duties of the police; he is responsible to the Inspector General, who sees that they are properly exercised.

104. But for the due exercise of all the important powers contained in Clause 4, how is the House of Commons, for instance, to measure responsibility. How is the House of Commons to make its opinion at any time prevail with the watch committee?—That I am sure I cannot tell you. I cannot tell you how the House of Commons can do it.

105. I can tell you?—The watch committee are interested in preserving the peace of Belfast, and it is to be hoped they will do their duty, but I do not know that anybody can do anything further than that. The town commissioners were interested, but they did not do their duty. No bye-laws have been made.

106. If the Commissioner of Police obtained the power proposed to be given to the watch committee, the House of Commons could at any time, by motion directed against the Irish Government, make the Commissioner practically responsible for his conduct, but how is a similar efficient provision for the public peace to be employed against the watch committee?—The reason that the House of Commons could do what you say to the Commissioner of Police is the very reason that made me say just now that if the Commissioner of Police had those powers his place would not be worth a year's purchase, but I do not think the House of Commons wants that direct interference with the power of persons in a town like Belfast. They have not got it in any other town.

107. The theory of the constitution is that public officers, in regard to the public peace, are responsible to the House of Commons. That is the way the public peace is protected. I want to know how the watch committee can be made responsible?—I think myself they would be much better if they are not responsible.

108. That is establishing a benevolent despotism; that is not constitutional government?—I do not think you can carry out constitutional government in that way; Belfast is a large town.

109. You are aware that your Commissioners sat during four weeks continuously?—Yes.

110. How do you reply to their statement. Speaking of the formation of a local committee to concern itself with the public peace, they use these words: "We cannot advise the formation of any such committee. In our opinion, the unhappy dissensions of Belfast would render it most difficult to form any Committee."

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mittee which would command the confidence of the general body of the inhabitants." How do you reply to that?—I reply to that, the words of the paragraph in the Report of that Commission refer to a proposal which emanated from the town council, which was to the effect that the chief of the police of Belfast should be under and dependent upon the instructions of the local committee; but he is not.

111. I invite you to go on and read a sentence or two farther on: "But even if such a committee could be formed, we think its establishment would be most injurious"—That is the local committee that is to take complete charge of the police.

112. "We have already stated that, in our opinion, the great need in Belfast is that the police force of the town should be placed under the command of a single head, and that upon him should be cast the responsibility of preserving the public peace"—Exactly; that is what we have done by this Bill.

113. Do you think so?—Yes, but not the responsibility of interfering with the liberties of the people; that is the difference. The question of party processions and funerals, arches, and bonfires, and bands, must be considered irrespective of the question of the peace of Belfast.

114. Does it not occur to you that if at any time the Police Commissioner is challenged with regard to his conduct in respect to preserving the peace he might get rid of the responsibility by urging that the watch committee improperly exercised their powers under Clause 4 in regard to processions, the playing of music in the streets, the erection of arches, and the lighting of bonfires, and so on; does not that divide the responsibility?—No, I do not think so at all. He has got to keep the peace whatever the orders are. If the watch committee assist him by closing public-houses so much the better for him; at any rate he has got to prove that he has done his best to keep the peace; he is responsible for that.

115. Suppose his efficiency is called in question might he not on his side, as an officer of the Irish Government, throw his responsibility upon the watch committee by urging that they did not properly exercise their powers under Clause 4?—I do not think so. I think his responsibility as a police officer stops. If he proves that he has done his duty, and that the men under him have done their duty, he would be perfectly clear. I think that the responsibility could not be shifted to anybody else if he had not done his duty.

116. How can you say that the sole responsibility of maintaining the peace rests upon the Commissioner when all those powers that are called into exercise for the purpose of preventing breaches of the peace are confined to the watch committee?—Those powers are for the purpose of preventing irritation. They help the Commissioner, certainly. If they stopped processions to a great degree Belfast would be quiet. From this time of year (or shortly) on to the winter there are no processions, but it is the duty of the police to keep the peace, as they did on the 12th of last month in respect of processions.

117. If the Police Commissioner was charged with incapable conduct, would it not be easy for him to say to the watch committee, if you had prohibited the processions, or closed the public-houses, or prevented the music in this instance, I would have found it easy to keep the peace. Will it not always be possible for the Commissioner of Police to throw the blame upon the watch committee, and therefore to divide the responsibility?—No, I think not. I think if the Police Commissioner said what you suggest it would be proof positive that he was incapable.

118. But let us imagine a case of the watch committee failing to exercise judicially the powers of Clause 4, would not they thereby incur in respect of the public peace, a guilty and culpable responsibility?—They might in respect to the public, not in respect to the public peace. The policeman should keep the peace in spite of everything, whether he has the processions stopped or not. Undoubtedly it would help him to keep the peace if they are stopped.

119. Might not the misconduct of the watch committee in regard to their powers make it impossible for him to keep the peace?—I do not think so; and it should not. He has troops and he has police, or he can get the troops if they are wanted, and he ought to be able to keep the peace. It may make it

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very much harder on the people of Belfast; that is to say, that the riot may be a greater one than it would otherwise have been. At the same time, it is the duty of the police to keep the peace.

120. Clearly, therefore, the responsibility is divided; because the action or the inaction of the watch committee may make it more or less difficult for the Police Commissioner to perform his duty?—It might make the duty that the Police Commissioner has to perform more or less difficult, but not make it more or less difficult to him to perform his duty.

121. Suppose they allow a procession of a dangerous character; suppose there to be a proclamation to stop the passage of that procession, or suppose that during the funeral of a person murdered in a riot, they allow the public-houses to remain open, imagine that case; is not the duty of the Police Commissioner rendered indefinitely and infinitely more difficult?—It would be rendered undoubtedly harder; that is to say it would not be rendered so easy.

122. Well, I think I need ask you no more about the watch committee. Now, about the question of compensation; do you discover any advantage in dividing the function of allotting compensation between the council and the watch committee?—No, personally I do not, if the watch committee is allowed to stand.

123. I heard what you said; as it was in existence you said you saw no disadvantage. Suppose we assume that the watch committee should not exist at all?—I could not assume that. I think it ought to.

124. Well, assume for the sake of answering the question, would you in that case think that the Recorder of Belfast would be a suitable tribunal to allot compensation for malicious injury?—Yes, I think so, or the Corporation.

125. Or the Corporation?—Either. There being an appeal, I should be quite content with either.

126. I suppose you know the riots of Belfast, and the consequent danger to property, arise usually out of differences of opinion?—Yes.

127. Which mostly crystallise themselves upon the question of creed?—Yes.

128. Are you aware that out of 39 houses that were wrecked during the late riots 27 were the houses of Catholics?—I believe the proportion was something in that way.

129. Are you aware that the town council of Belfast is entirely composed of persons of the other creed?—Yes, but I understand they are going to alter the electorate.

130. It has been altered. But have you followed the question with sufficient closeness to be aware that as Belfast is at present divided into wards, there is not in any ward a sufficient number of Catholics to return of themselves a Catholic member to the council?—I do not believe, seeing how the council of Belfast is composed, they would be more unfair in paying a Catholic than in paying a Protestant.

131. I do not want you to assume that there would, but I ask you generally, do you consider it advisable, when the public disturbance results in injury almost invariably to the property of persons of one creed, the tribunal to allot compensation should be composed almost wholly of persons of another creed?—Possibly it is an inconvenience, but you might have that case before the Recorder; he might be of a different creed. He can only have one creed.

132. But the Recorder, or any judicial person is subject to the operation of public opinion, more or less, in a greater degree than the other tribunal?—There is an appeal, you see, to a judge.

133. There is an appeal to a judge?—There is an appeal to a judge. I think that is the great safeguard which I should look to.

134. Of course, you will agree that in the case of poor persons claiming compensation it is desirable that the Court of First Instance should be a satisfactory one, as the cost of an appeal might be prohibitory?—The judge is entitled to allow the costs.

135. In the event; but is it not desirable, as a general principle, that the Court of First Instance should be satisfactory to the litigant?—It is; I have no reason

reason to think that the town council would not do their duty. I do not think it has ever been shown to the contrary.

136. Have you not heard of such a thing as discontent from appealing in the case of claims in Belfast?—All claimants, I fancy, are apt to be discontented if they do not get all they ask for; I have not heard any specific instance of more discontent amongst one creed than amongst another.

137. I suppose you do not claim to have any particular knowledge of the question?—I have made inquiries upon that very point; but I have not found any case of the kind; I tried to find out as far as I could.

138. I ask your attention to these words in the Report of the Commissioners: "We are of opinion that it would be more in the interest of all concerned, and would tend to insure general confidence, if an independent tribunal, such as a Government or other arbitration, could be formed, in order to deal primarily with the amount of compensation to be awarded for such malicious injuries." Taking that paragraph, and observing that the language, "an entirely independent tribunal, such as a Government or other arbitration," was placed there in opposition to the fact of the present voice of the town council, does not that appear to be a strong condemnation of the question of allowing the compensation to rest with any local authority?—I did try very hard to devise a tribunal, but it is not an easy thing to do.

139. Why do you object to the recorder?—If you gave it to the recorder there was the difficulty about giving an appeal. I thought the other (what I might call a popular body, or at least a body with good men who were able to find out personally and to make personal inquiry, which the recorder would not be able to do), was better for the Court of First Instance.

140. Is it not the ordinary course, both in civil and criminal law, that an appeal runs from the recorder to the judge of assize?—No, I do not think those appeals lie to the judge of assize; they go to the Queen's Bench, do they not?

141. If you take an appeal from the recorder where do you go, except to the judge?—I thought it went to the Queen's Bench.

142. No; it may upon the licensing question, but not in ordinary civil or criminal jurisdiction, so that if the recorder were appointed with a right of appeal to the judge of assize that would follow the ordinary course of civil and criminal jurisdiction?—

Mr. *Meysey Thompson*] I do not know whether it is so in Ireland; it is not so in England.

Witness.] No; I think it is not so in Ireland, either.

143. An appeal from the recorder would not go to a judge of assize, but to the court in London?—It goes to the Court of Appeal, I think.

Mr. *Sutton*] On what question?

Mr. *Meysey Thompson*.] Any question except in the case of a criminal appeal, in which case it goes to the Court of Crown Cases Reserved. Any other appeal would go to the divisional court, not to a judge of assize.

Witness.] That is what I think, too.

Mr. *Sutton*.] I understand the appeals are to a judge of assize.

144. Mr. *Pictow*.] There is just one question I should like to ask. Do you think the constitution of the watch committee as proposed is the most impartial that can be conceived, looking at the intended constitution of it, "four members shall be nominated by the Lord Lieutenant." I say nothing about that part of it; that no doubt would be impartial, "three by the justices of the peace of the borough, and two by the town council." Are there any Catholic justices of the peace in the borough?—I really do not know. The intention of that was that the Lord Lieutenant should, by his nomination, make up the balance of religious distribution.

145. There are four to be nominated by him; then there are five to be nominated by the justices and the town council, and two *ex-officio* members, one

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being the Mayor of Belfast for the time being, and the other the general officer for the time being. The general officer would no doubt be an impartial member of the tribunal.

Chairman.] There is one more, "the officer for the time being commanding the troops in Belfast."

Mr. Pielou.] That would give about an equal number.

Witness.] That makes 12.

146. I only wish to clear up that point?—The idea of the Lord Lieutenant's nomination was to give him an opportunity of seeing that all opinions were represented.

147. *Sir James Corry.*] You have been guided very much in your opinion of this Bill, and in the way in which it has been drawn up, I presume, by the Report of the Royal Commission?—Yes.

148. And that is the reason why we find this sub-section in Clause 1, with reference to that omission of the jurisdiction of the borough magistrates?—That is the reason.

149. And that is solely the reason?—Chiefly the reason; though I might say that I believe the justices of Belfast have suffered perhaps rather unjustly; I believe the bulk of them have done their duties well, and to the best of their abilities; but in the face of that Report, and of the facts disclosed in, the evidence with that Report, I must confess personally I do not see how it was possible to allow them to continue the exercise of petty sessional duties.

150. Can you tell me any other place in Ireland, except Dublin, where that power is not in the hands of the borough justices?—No; but then there is no other town in Ireland of the size of Belfast, except Dublin.

151. Do you think it is quite a sufficient reason for taking power away from the borough magistrates, because it was recommended by the Royal Commission?—And on account of the general opinions with regard to them that were brought out in evidence also.

152. With reference to the appointment of the police magistrates I think I understand you to say that you would be satisfied yourself if they were resident magistrates, as they are just now, only having some legal qualification?—Yes; I think it would be easier to make a selection from men who were actually doing the same work, you could pick two good men, whereas if you take barristers you are not certain what they will turn out when they are made into magistrates.

153. The difference between the one and the other is, that the one would be removable by the Lord Lieutenant, or, at least, could be changed about from one place to another if found unsuitable; whereas, if a police magistrate is appointed he is a permanent official?—Yes, just so.

154. So that, if you happen to get the wrong man, you are saddled with him permanently?—Yes, exactly. I thought it was better for Belfast to have the wider chance of the change.

155. But you think there should be two?—There should be two, I think.

156. As to the question raised by the honourable Member for West Belfast, as to the jurisdiction of the one police magistrate in cases under the Criminal Law Amendment Act, you think that it should be delegated to the one?—I think so.

157. Would the same apply if it was a resident magistrate?—Yes, if he was appointed to Belfast under this Bill as a police magistrate.

158. He would be appointed specially?—He would be appointed specially police magistrate for Belfast while he was there, and it would then apply.

159. And is it your idea that the salaries of those police magistrates should be considerably higher than the salaries of the resident magistrates?—No, I do not imagine they would be much higher. I think they ought to be, say, 100 £ a year, or something of that sort over and above, which should be allowed for house rent and the necessary expense of living in the town.

160. Then

160. Then would you call upon the town council to pay a portion of the salary of the police magistrates, or resident magistrates, which they have not to pay now?—They have escaped hitherto, but I do not see why they should continue to escape.

161. You want now to remedy that injustice, as you think?—I think it would be fair.

162. Have you read all the evidence with reference to how the borough magistrates have done their duty in the police courts?—Yes; as I say, I have reason to believe that the borough magistrates, as a body, in Belfast have done their duty under difficulties as well as such a body elsewhere.

163. Having that opinion, do you see any reason why they should be deprived of those functions which they enjoy just now?—I think it would be better for Belfast to establish stipendiary magistrates. A town of that sort, in my opinion, should always have stipendiary magistrates.

164. Do you think in the view of extending local self-government, that it is a judicious way to begin by depriving the borough magistrates of any power they have now?—I do not think that it has anything to do with local self-government. Having regard to the circumstances of Belfast and the population that cannot have their proportion of magistrates, I think it would be better to follow the lines of this Bill for the peace of Belfast.

165. I think you told us that on the last 12th July the police arrangements were complete, and that everything was done that possibly could be done to preserve the peace?—Yes.

166. And that was without this Bill?—That was very much on the lines of this Bill.

167. But you had the power to do it, had not you?—A riot was stopped at once, and we had not any big rioting, but there might be at Belfast; it is a very inflammable place.

168. If you have the powers you at present exercise do you think that there is any need of this Bill at all?—Indeed I think the Bill is very much required.

169. You tell us, of course, what we all know, that the soldiers would not act in any case of riot, or leave the barracks except under orders of a magistrate?—Unless they have the magistrate with them.

170. Do you think, with reference to the watch committee, that the object of the nomination by the Lord Lieutenant of four members of this watch committee would be to equalise the appointments on the other side, so far as regards religion?—Yes, to try and make a fairly representative committee.

171. Do you think that social order in Belfast is more difficult to maintain than it is in Dublin?—I think so.

172. They have never had any riots in Dublin?—They have; but they do not do the odd things the Belfast people do.

173. Do you think the social order of Dublin is easier kept than it is in Belfast?—They have stipendiary magistrates in Dublin, and a great many of the improvements proposed in Belfast by this Bill already exist in Dublin.

174. Is not the police force very different in Dublin to what it is proposed to be by the Bill in Belfast?—It is stronger, I believe, but it has got a larger district to cover.

175. Is it not a purely civic force in Dublin?—It is civic in one sense. That is to say, it is separate from the Royal Irish Constabulary, but it is not under the control of any body in Dublin. It is not civic in that sense.

176. The police in Dublin are not allowed to carry rifles, are they?—No.

177. Is not that different?—Since I have been Under Secretary, I have stopped it in Belfast, I think they never ought to have rifles. So long as I was Under Secretary, I would not allow them to do it, if I could help it.

178. Do you think that this provision with reference to the injury to person should be in the hands of the watch committee?—I do not think that it is important.

179. You see no reason to disturb that in the Bill as amended, the town council having jurisdiction over compensation for property?—No, I do not; as long as there is an appeal.

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180. Mr. Campbell.] I gather that your opinion is that the occurrence of these recent riots in Belfast justifies some exceptional measures for assuring the peace of the town?—The history of Belfast, with regard to riots, I say, justifies some exceptional measure.

181. And on that account you defend the provisions of Clause 1?—Yes.

182. One word as to the relation of the Commissioner of Police to the proposed watch committee. I presume you do not mean that he is to wait for instructions from the watch committee?—There is no power in the Bill for the watch committee to give him instructions.

183. He is responsible, as if the watch committee were not there?—Entirely.

184. At the same time, he is asked to report to the watch committee?—He is to give such knowledge as he possesses, and such assistance by sending those who have knowledge to the watch committee to let them form their judgment as to whether or not they should exercise the powers they possess, but those powers are independent of him.

185. That is in order that they may have material for forming their judgment as to what is necessary in the way of regulations?—Yes.

186. But the responsibility of the Commissioner of Police will not be lessened by the existence of the watch committee?—Not at all.

187. Chairman.] With regard to the borough magistrates, without for a moment hinting that those magistrates showed any partiality in the late disturbances, does not some portion of the evidence go to show (at any rate, some of the newspaper reports did) that the people (the rioters themselves) believed that magistrates on their own side would be likely to be partial?—Yes, undoubtedly.

188. And that that belief probably tended to increase the riots and keep them up for a longer space of time?—Yes.

189. That is probably one reason why you suggest that the borough magistrates should not be left as they are?—Yes.

190. There was always a possibility of a large number coming down to swamp the court on behalf of any particular person: not that they did it, but there was a possibility of it, and a belief among the people that the thing might be done?—Yes, undoubtedly; but I am perfectly certain that magistrates in Belfast have been written to and asked to come to the court for certain cases. I do not say that they have done it, but that has been done.

191. Sir James Corry.] Have you ever known that to be the case in other places?—It is very much the same case in Ireland, I think, everywhere.

192. Chairman.] Your idea of the composition of the watch committee has been very much that it is desirable to keep the balance of parties as far as possible, in giving the Lord Lieutenant the nomination of so many; is not that so?—Yes; to have a fair committee that should command the respect of the people of Belfast.

193. There has also been a suggestion made that under certain circumstances the watch committee might be supine and not act; on referring to the last line of Clause 14, line 20, page 8, I find this: "The watch committee shall be deemed to be duly constituted when the Lord Lieutenant has nominated any of the members to be nominated by him"; that proviso would prevent the possibility of the watch committee declining to act, would it not?—Yes.

194. The *ex-officio* members would be sufficient, in the event of the townspeople declining to act to establish a sufficient number?—And I look to the presence of the military members whose great ambition is always to prevent their men being mixed up in riots to being a sort of spur on the watch committee to get them to act.

195. At the same time there is a sufficient number of the townspeople, if they acted, to prevent it being what you might call a military despotism?—Yes, to do what is fair.

196. Mr. Sexton.] I just want to ask one question on the matter of relative social

social order in Dublin and Belfast. I suppose you are aware that four times since the year 1857 there have been in Belfast riots extending over weeks together, causing the loss of many lives?—Yes, there have been.

197. Can you say that within the present generation in Dublin there has been any riot which caused losses of life, material damage to property, or extended beyond a single day?—I do not think there is any comparison really between the riots in Belfast and the riots in Dublin.

MR. HENRY THYNNE, sworn.

Examined by Mr. Meysey Thompson.

198. I do not think I need trouble you with many questions, but you are specially referred to by Sir Redvers Buller with reference to Clause 2. I may ask you: you are Deputy Inspector General of the Royal Irish Constabulary?—Yes.

199. You were formerly a resident magistrate in Ireland before you were yourself connected with the Royal Irish Constabulary?—I was; but before I was appointed a resident magistrate I served as District Inspector, Royal Irish Constabulary.

200. You were employed with the constabulary at Belfast, and have also been employed there on the occasion of riots as a resident magistrate?—Yes.

201. I want to ask you, therefore, with reference to Clause 2, under Sub-section 1, the numbers allotted to the town of Belfast, which now stand under the Act of 1865 at 320 as the limit, may be extended to 400?—Yes.

202. Those are, are they not, the constables who are paid for half out of the local rates?—Yes, half out of the local rates.

203. The night watch, which also appears in that same sub-section, consists of the same persons; at least, of some of the same persons as those included in the previous 320?—Yes, the same; but the constables alluded to in Section 2 would also be—

204. Just let us adhere to Sub-section 1 first?—I mean that you cannot distinguish the constables who are in Belfast under Section 1 and Section 2; they are all mixed up together.

205. They are all mixed up together?—Yes.

206. But the total number which there can be under Sub-sections 1 and 2 of Clause 2 is limited by the 320, and the free quota which is allotted by the Lord Lieutenant?—Yes.

207. And that free quota may, after the passing of this Act, be increased to 400?—It may.

208. And the other constabulary force which is allotted to them may be increased to 400 also?

209. *Chairman.* They are about 320 each now?—Yes, and they are proposed to be 400 each.

210. There is a possibility also, I think, of increasing the free force, or the paid force, by 50 men more, is not there?—No, it is from 320 to 400. There is no other power to increase them beyond 400.

211. *Mr. Meysey Thompson.* At the present time they may at the outside be 640?—Yes.

212. If the clause be passed in its present form, they may be 800?—They may be 800; that 800 is nominal. There is five per cent. off that for the training of men at the dépôt. It is in reality 760.

213. Practically you increase the numbers by about 160?—Yes.

214. Subject to the five per cent. deduction?—Yes.

215. We may say an additional 150?—About that.

216. In round numbers?—Yes.

217. What I want to point out to the Committee with regard to the night watch is that they need not be taken into the staff?—No. They are the same men; they get 6d. a night, those who stay up all night.

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Mr. H. THYNNE.

[Continued.]

218. Extra pay is given to them to that amount?—Yes; they get 6*d.* a night.

219. The night watch is now limited to about 150; you make no further increase beyond the 150?—Yes; a third of the whole is the rule.

Cross-examined by Mr. Bidder.

220. I do not know whether you are sufficiently intimately acquainted with the arrangements of Belfast to know the provision that the Harbour Commissioners have made for police?—I know they have about 50 men.

221. And, so far as watching and keeping order on their own premises is concerned, they do that work very efficiently?—Very fairly.

222. So that it may be said that, as regards the Harbour Commissioners' property, no serious burden is thrown upon the town in respect of police?—I will not go so far as that, because if any riots break out on the property of the Harbour Commissioners, the police would immediately have to go in and help their own men. In fact, it was on their property the riots began last year.

223. Speaking as a rule, they do not cost so much for police as other parts of the town?—No, not quite; but I may say there are police always on duty at the steamers and shipping there, besides the harbour police.

Cross-examined by Mr. McConnell.

224. These police belonging to the Harbour Commissioners are specially there to protect their own property, are they not?—They are.

225. And they do not exclude the authority of the borough police over the same superficial area?—No, they do not.

226. If they were left to themselves, I understand you to say, they would be a helpless body to repress riots or to keep order?—They would.

227. The Harbour Commissioners have on the quays a great many sheds, have not they?—They have.

228. In which goods are stored for the night, or for a longer period, warehoused in fact?—Yes.

229. And these men are used specially to protect those goods and regulate the traffic, going and coming, by the Channel steamers?—Yes, that is their special province.

230. How long were you in Belfast actually?—I was first there for about seven years continuously. Then I was off and on there for eight years, and back again last summer during the riots for five or six months.

231. Are you of opinion that a legal stipendiary or a resident magistrate of the class of the two gentlemen who are there now would be most likely to preserve order and to protect the interests of the town?—I think that in all large towns the law ought to be administered by paid magistrates. It is better to have two legal magistrates in a town like Belfast than three or four members to the body of 80 or 86 who go there occasionally.

232. I say a legal stipendiary?—I say there should be two barristers, but I would pick them from the body of resident magistrates with the qualification of being barristers.

233. Then, as a barrister, standing alone, a gentleman who has simply exercised his profession in courts, and elsewhere, you are of opinion is not a person who ought to come there and be appointed as stipendiary?—I think we get better men from the body of resident magistrates who are already trained. Some of them have gone circuit and practised for years.

234. Are they amongst the successful ones we have heard of, or the unsuccessful ones?—Some of them were successful and gave up practice at the bar for one reason or another.

235. I think before the Commission you were in favour of having resident magistrates rather than legal magistrates?—I was in favour of having legal magistrates picked from the resident magistrates.

236. Was

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[Continued.]

236. Was this your answer to one of the Commissioners. It is under No. 9227 : the actual question is not numbered : "What I want to say is, if you get barristers you will probably, at the salary offered, get failures. They will be here all their lives ; you cannot remove them ; and if they happen to be weak and capricious men, the peace of the town will be in their hands" ?—Yes, that is my opinion.

237. "There are 72 local magistrates" ?—That is a mistake. There are 72 resident magistrates. I say, pick two men from that body and you will get better men, and you have the power of removal.

238. You think that the resident magistrate being removable, from the fact that you would be able to send him elsewhere, he would be a better judge, so to speak, than a permanent fixed legal gentleman ?—What I mean to convey is, that if you appoint a police magistrate permanently you must take him for what he is worth, and if he turns out badly you cannot remove him.

239. Did you sit as magistrate when you were there yourself ?—I did.

240. And did the lay magistrates attend the court occasionally ?—Yes.

241. Was there a rota there by which the lay magistrates attended ?—Yes.

242. And did they attend according to the rota as far as convenient ?—Fairly well ; many of them never went there at all ; but they attended fairly well according to the rota.

243. And in case a gentleman could not attend he got some one to supply his place, I daresay ?—Yes. Very often he left it to the resident magistrate and never came at all.

244. Mr. Sexton.] How can you say that when a gentleman could not attend he got another magistrate to supply his place. The learned counsel asked you if he did not get some one else to supply his place ; how can you tell that ?—I cannot tell that.

245. Mr. McConnell.] Was the rota hung up showing on which day the magistrates should attend during the six days of the week ?—Yes.

246. You could see by that ; or if you chose to inquire you could ascertain who it was that ought to attend ?—Yes ; a large number were on the rota, more than ever did attend. There was a large number on the rota but only a few attended out of it.

Re-examined by Mr. Megey Thompson.

247. With regard to this question of the police magistrate being a permanency, the police magistrates in Dublin are permanent, are not they ?—Yes, they are.

248. And all throughout England ?—Yes.

249. And the police magistrates in the metropolis ?—Yes.

250. All permanent ?—Yes.

251. My learned friend, Mr. Bidder, was asking you with reference to the dock premises. As a matter of fact the last riots did begin on the docks premises did they not ?—They did.

252. And the object, and the sole object, practically, of increasing the constabulary in Belfast is to meet cases of riot ?—Yes.

253. Not for the ordinary policemen of the town, but to have a sufficient reserve force in case of riots ?—Yes.

254. Mr. Sexton.] You have said that the last riots began on the dock premises ?—Yes.

255. Is it true that the dock police ran away ?—I cannot say that.

256. Sir James Corry.] You were not there ?—My belief is that there were no police there at all.

257. Mr. Sexton.] You do not remember whether one or two were there who ran away, and left the ground clear ?—I do not know that there were any there.

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258. They

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Mr. H. THYNE.

[Continued.]

258. They did not interfere in Belfast?—They did not interfere.

259. You gave evidence before the Royal Commission?—I did.

260. You did not give any evidence in favour of the establishment of a watch committee?—No.

261. How was that?—I was not asked any questions. The subject was not mooted.

262. Oh, you only answered the questions you were asked. The powers given to the watch committee in Clause 4 are powers applying themselves to the prevention of disorder; that is to say, the prohibition of processions, the closing of public-houses, and the regulation of music, and other demonstrations. Now, you have been seven years in Belfast?—Yes.

263. As an officer of the police?—Yes.

264. Suppose you held the position of Commissioner of Police in Belfast under this Bill, do not you consider that your capacity to preserve the peace of Belfast would be greatly affected by the manner in which the watch committee exercised their powers under this clause?—I have no doubt it would.

265. You can imagine one line of conduct that would make it easy for you as head of the police to keep the peace, and you can imagine another line of conduct that would make it altogether impossible for you to do so?—Yes.

266. Therefore, the keeping of the peace would rest primarily upon the watch committee, would it not?—It is said that the watch committee would have no power over the Town Commissioner; and they should not have any. They should have no control over him.

267. Will you follow me a moment. If you were in Belfast as Commissioner of Police charged with the duty of preserving the peace, and if there were 12 gentlemen in that town who had the power to prohibit, or not prohibit, any public procession or other meeting, to disperse, or not to disperse a procession or meeting, to order, or not to order the closing of public-houses, to prohibit, or not to prohibit or regulate the playing of any music in the streets, and the erection of any arches, and the lighting of any bonfires, would not they really have a supreme and decisive power over your position as preserver of the peace in times of disturbance?—Well they would have the power of assisting me to a great extent, but I do not take it that they would have any powers beyond that. I take it the Commissioner of Police is independent of their power to give any orders to him.

268. He is independent when he comes into play?—Yes.

269. But may not the watch committee before he comes into play create circumstances of immense difficulty?—They may. They might prohibit a procession that they thought ought not to be allowed.

270. Precisely. You might find yourself in Belfast with 500 police under your control; you might find the watch committee, of which you are not even a member?—The Commissioner ought to be a member of it.

271. The watch committee might come to a conclusion to allow a procession to take place, or allow public-houses to remain open; may you not find yourself through the action of the committee, at any moment confronted with circumstances that make it practically impossible for you to maintain the peace?—I do not think it would make it impossible, but it would make it more difficult.

272. *Chairman.* You say not impossible; you said that it would be impossible just now; "practically impossible" Mr. Sexton said; and you said "Yes"?—Not impossible, but more difficult.

273. *Mr. Sexton.* A police officer does not like to admit that anything is impossible to him. Is not that because professional pride forbids you to admit that anything is impossible. It appears then that the responsibility really is divided. Up to a certain point the watch committee are supreme, and only up to a certain point; that is when disorder occurs the Commissioner comes into play?—Yes.

274. Now, upon the question of compensation, you are aware that the four Commissioners in their report dismiss the suggestion that the right to compensation should be vested in the town council, and recommended that it should
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be vested in an independent tribunal. Do you approve of the new clause of the Government, allowing the compensation for damage to property still to remain in the hands of the authority rejected by the Royal Commission?—I understand it is given back to the Corporation.

275. Yes, exactly; but the four Commissioners do not approve of that?—I know they did not.

276. They say it would be more in the interest of all concerned, and would tend to insure general confidence if the power of giving compensation were vested in an entirely independent tribunal. I ask you, from your experience of Belfast, and in view of this report of the four Commissioners, do you consider, having regard to the distribution of creed, the creed of those who suffer, and the creed of those in the town council, and so forth, and all the local circumstances, that the public interest would be better served by allowing a judicial person, like the Recorder of Belfast to allot this compensation, or leaving it still to the town council, or any body upon which the town council has a large influence?—I see a good deal of difficulty about what tribunal to give it to. Of course if it is given to the town council (as at present) there should be a power of appeal if they did not exercise their duties properly. If I give it to the recorder, I do not see how he can act well without a jury. In awarding compensation you must have men of experience, and business men, to look after the fixing of it in some way or other. I would be very glad to see it given to the recorder, but I have some doubts whether he could work without a jury, and you can hardly get a jury in Belfast to agree to anything of a party nature.

277. Is that the reason for having a jury; is not that a reason for letting the recorder do it?—I do not think he could do it very well himself.

278. Why cannot the recorder do it as well as a judge on appeal?—In an appeal the judge has got the decision of the court and jury of the court below. In the first instance, I think there must be some business men to fix the amount of compensation. I do not know that the recorder could act well without a jury in such cases.

279. Do you consider it a sound principle of administration to apologise for the insufficient character of the court of first instance by saying that you have, at any rate, a satisfactory appeal?—I know if you leave it to the town council there is a large section of the population that would not be satisfied with the decisions.

280. Who are the people who suffer damage at Belfast; are they, roughly speaking, Catholics?—Yes; last year Catholics principally.

281. Is the town council absolutely and wholly Protestant?—I think it is. I think Mr. Bernard Hughes was the last Catholic member of it.

282. There is not one now, is there?—I do not think there is one now.

283. Assume, if you like, that the town council is the most high and honourable in existence. I ask you if it is desirable, having regard to the principle that applicants should have confidence in the tribunal, is it desirable to perpetuate by this Bill a state of affairs in which the applicants would be all persons of one creed (assuming that creed is so much a matter of excitement), and the judges all persons of another creed; is that desirable?—It is not desirable, if it can be avoided by any practical means, but I must say, in justice to the town council, that I think they have given damages for the last year very fairly.

284. I was inclined to assume that if you like, but I asked whether it was desirable?—So much so was that the case, that I find in some instances that the people did not care whether their houses would be wrecked or not; they had such confidence as to getting damages. Some cases of this kind came under my notice, but I go so far with you as to say, that I think the Catholic population of Belfast will have no confidence in the compensation they would get from the town council; but I think this is more a sentimental than a practical grievance.

285. That is to say, people who suffer damage, and who may apply for compensation, will have no confidence in the tribunal created by the Bill?—They would suspect the members of the council.

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Mr. H. THYSE.

[Continued.]

286. Mr. Pictou.] Did I understand you rightly to say, in reply to my honourable friend, that the newly created Chief Commissioner of Police, ought to be a member of the watch committee?—I think he ought. If you have a watch committee he ought to be a member of it.

287. In addition to those already named?—Yes.

288. You think that a desirable amendment to this clause?—That is not a committee I would form at all if I had the formation of the watch committee.

289. You would not form a committee at all?—No, I would not.

290. Will you tell us what you would do?—I do not think I would have any employers of labour, or elective men of any kind in Belfast, except the mayor. I think they should be independent altogether of the local prejudices and local feelings of the locality.

291. Will you suggest whom you would have on the committee?—I would put the Mayor of Belfast and the general commanding the troops there, the town commissioner, and the two resident magistrates.

292. Chairman.] Two military officers?—One

293. The general commanding?—The general commanding the troops in Belfast.

294. In the district?—No, he lives in Belfast.

295. Are there not two, the general commanding the district, and the general commanding the troops in the town?—He lives in Belfast.

296. Mr. Pictou.] The mayor and the general commanding the district?—Yes.

297. Who else?—The town commissioner and the two paid magistrates, whether they are police magistrates or resident magistrates.

298. Then they would be the judges of an offence committed against the body, or the regulations of the body of which they would be members?—Their functions must be simply to say whether to allow band playing or processions in the town or not. They would cease there.

299. The present watch committee is to make a good many regulations independently of that altogether?—All this power of compensation is, I understand, to be taken away from them.

300. But they are to make a good many regulations. They have still the power of allotting compensation for personal injury?—Yes.

301. Sir James Corry.] Your experience of Belfast extends over a considerable time?—Yes.

302. Were you present in Belfast during the riots of 1872?—I was.

303. You were then police officer?—I was.

304. And you were also in the last riots resident magistrate?—Yes.

305. So that you can give the Committee information in both capacities?—Yes.

306. I would like to ask you a question in reference to your experience of the way in which the borough magistrates have done their duty during all your experience; do you consider that they have done it fairly, and in an impartial way?—I must say that generally that is my view; they have generally

307. Is it your experience, both as a police magistrate and also as a resident magistrate, that the borough magistrates have done their duty impartially?—Yes; I do not say that their presence had always a good effect, because in many instances if a popular magistrate comes out, and there are police or troops present—

308. That is another matter?—That is the drawback.

309. That is on the streets, but I do not propose that the borough magistrates should have any power in the streets at all; I am talking entirely of the bench?—Well, on the bench; I have sat there on the bench with men who hold very strong views, and I saw no difference in sending prisoners to goal; they never asked what creed they belonged to; they sent them to goal on both sides.

310. You never saw any partiality?—I will not go so far as all that. I say,
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[Continued.]

as a rule, they are very impartial, and very straight men, as much so as in any other part of Ireland.

311. Then do you approve or disapprove of this clause in the Bill taking away the jurisdiction of the borough magistrates?—I think it is better for themselves, and better for the public, that the law should be administered in the Belfast courts by police magistrates. This I say, without casting any slur at all upon the borough magistrates.

312. Would you go so far as recommending that all over Ireland?—Not in the country, but in every large town.

313. That it should be made a general Act?—Yes.

314. I do not know that we would object if it were made a general law, but we do object to being singled out?—

Chairman.] But you are the leading city.

315. *Sir James Corry.*] You said that you do not exactly approve of the constitution of this watch committee?—No.

316. Were not you in Belfast when the Inspector General came down during the time of the riots?—I was.

317. Did not he at once suggest that a committee should be formed for the purpose of advising and carrying out the law?—He did.

318. Was that committee formed?—It was.

319. Were you a member of it?—I was not.

320. Then you cannot say how the duties were performed?—Well, I can say, speaking generally, that they were performed very fairly, but there was too much time lost by them in their deliberations.

321. You said, in answer to the honourable Member for West Belfast, that you thought the power to award compensation might be delegated to the Recorder, but that he would require to have a jury with him?—That is what I am afraid of; in fact, I have not considered the question very much.

322. But you made very sweeping charges against juries; you said it would be very difficult to get juries to agree to anything in Belfast?—In party cases you would not get them to agree unless they were all on one side.

Mr. Sexton.] Unless you packed the jury.

323. *Sir James Corry.*] But do not you think that the constitution of the watch committee, where the Lord Lieutenant has a power of equalising the creeds as you may say; would be a great preventative of any unfairness or any thing of the kind arising in the committee?—Well I have a strong opinion upon that. If you press me I shall tell you what it is. I do not think that such a watch committee would act. What I mean to convey is this: if you had the members taken from the town council and local magistrates, and there was a procession, or a school excursion was proposed, which was likely to lead to a breach of the peace, those men would say, "we will not stop a loyal procession in Belfast so long as the Government allow disloyal processions all through Ireland; if they stop those we will stop those." No man in Belfast employing labour, or being elected by the people, will take the responsibility of stopping a procession of that kind in Belfast. They will say, "We will not do it so long as disloyal processions are allowed elsewhere." That is what I am afraid would be the result.

324. Then, I presume, you continue to be in favour of resident magistrates instead of police magistrates?—I do; harristors picked out from the whole body.

325. So that they would be moveable?—So that, if they did not suit the place, they could be moved. That is my sole reason.

326. You had a good deal to do, I suppose, with reference to the arrangements for the last 12th of July in preserving the peace from your office in Dublin?—No, that was left in the hands of the town inspector himself.

327. Then you had no requisition from the town inspector for an additional force, had you?—No.

328. And yet so far as the report came to your office, everything was fairly well conducted?—Fairly well; it was "touch-and-go" enough.

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329. Then

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Mr. H. TRYNSE.

Continued.

329. Then they had a limited number of police?—The remark was made that it was "sailing very close to the wind." You had every man in town on duty, and if rioting had broken out those men would have been exhausted; they were short-handed.

330. No doubt; but have not they found them very exhausted with 2,000 men in Belfast?—Yes, the arrangements were altogether left with the town inspector on the last occasion.

331. And the peace was fairly well maintained?—It was.

332. You said that the last riot commenced on the dock premises?—Yes.

333. Are there any members of the Royal Irish Constabulary on that part of the Harbour Commissioners' property?—No, not down there.

334. It was entirely out of the range of supervision?—It was entirely out of the range of civilization. It was down on the slob lands.

335. It was entirely out of the range of supervision at that time. You think, with reference to the increase of police proposed in this Bill, from your practical knowledge of Belfast it would be quite sufficient for ordinary purposes?—It would be just sufficient and no more. We should want every man of them, taking into account a certain per-centage of those men who would never be in Belfast.

336. Do you agree with Sir Redvers Buller that the police should not be armed with rifles in Belfast except on occasions of very great emergency?—They are not at present armed with rifles, but a state of affairs might arise when they would require rifles.

337. Do not you think if they require the use of fire-arms that the proper party to use them is the military and not the police?—There is no question about it when the military are there. When the military are present you would have no rioting, but you cannot have military everywhere. Rioting gets up suddenly.

338. Mr. Whitley.] I understand you to say that your opinion is, that the power of adjudicating upon claims for compensation should be taken away from the town council and given to the watch committee?—I did not give evidence for that at all; but I understand that power is now transferred to the town council by the amended Bill.

339. It is by the Bill; but I understood you to say that you did not approve of it?—I think the town council are as good as a watch committee.

340. The watch committee, or the town council?—Of the two I think I would prefer the town council as it is, with power of appeal to the judge.

341. Sir James Corry.] Is there any power of appeal now. There is no power of appeal, I understand, now, if you dismiss a case?—I believe if you give compensation there is no power of appeal, and that has been the blot of the present law. There is an appeal from a dismiss.

342. Mr. Whitley.] I understood you to say in answer to the honourable Member for West Belfast that there was something in the point he raised as to referring claims for damages to the town council. I understood you to say you thought they ought not to have that power, because they might be influenced by creed, or something of that sort; is that so?—No; I do not think I have gone so far as that.

Mr. Sexton.] I think what the Witness said was that, although the town council might act fairly, the difference in creed in the town council might cause a want of confidence.

Witness.] That is the purport of my answer.

343. Mr. Campbell.] You gave us your ideas of what a watch committee should be?—Yes.

344. But I do not gather whether you gave any opinion on the suggestion that there should be four members nominated by the Lord Lieutenant; do you approve of that?—The committee, I suggest, is self-forming.

345. It would dispense with nominations by the Lord Lieutenant?—It would dispense with the nominations of the Lord Lieutenant and all nominations.

346. I do

346. I do not know whether you advised your Committee in addition to those four?—No.

347. In substitution?—In substitution.

348. *Chairman.*] Do you know anything about the compensation for damages, after the last riots?—That is as to the amounts the town council gave.

349. No, the way they worked it was it satisfactorily done, generally?—I would be afraid to give evidence as regards that.

350. As a matter of fact would not the town council be the best body to go into the question of damage to property?—That is what I contend.

351. Being practical men themselves, accustomed to different classes of property, having men among them who know every trade and every class of business they would be accustomed to go into the details, and probably prevent excessive or absurd claims being made better than any other body you could name, would they not?—I think they are the best.

352. Better than the watch committee?—Better than the watch committee.

353. And better than the recorder without a jury?—I think the recorder personally would have more the confidence of the people generally; but I do not think he could work without a jury, and that a jury would only complicate matters.

354. As a matter of practice, we know that excessive claims always will arise in matters of that kind; would it be your opinion that the town council, composed of tradesmen and men conversant with business, would be less likely to be taken in, and less likely to be misled heavily, than an impractical set of men, or a less experienced body of men?—I think so.

355. With regard to bringing in the extra or increased police, and the consequent expense, I suppose it is quite right to assume that one great part of that was due to the unreasoning belief that the police were brought in to shoot the people down?—That is one of the causes.

356. What you want to avoid in the future?—And also to have men to attend to the general work of a town police.

357. *Sir James Corry.*] From your great experience as a police officer, and knowing Dublin as you do, do you think that the constitution of the Dublin police is better or worse than, or equal to, the constitution of the police of Belfast?—I think the constitution of the police of Belfast is just as good as that of Dublin, and in some respect superior.

358. *Mr. Sexton.*] You said the peace was well kept on the last 12th of July?—Yes.

359. And the borough magistrates entirely abstained from interfering with the police inspector?—I did not hear that they interfered with him; I take it that they did not.

360. There was no watch committee to interfere with the police?—No.

361. So the peace was well kept?—

Friday, 12th August 1887.

MEMBERS PRESENT:

Mr. Campbell.
Sir James Corry.
Colonel King-Harman.
Mr. Lawson.

Mr. Picton.
Mr. Sexton.
Mr. Whitley.

COLONEL KING-HARMAN, IN THE CHAIR.

Mr. WILLIAM ALEXANDER CURRIE, sworn.

Examined by Mr. Bidder.

362. ARE you the Secretary of the Belfast Harbour Commissioners?—I am.

363. And have been, I think, since January 1884?—That is so.

364. You have the general superintendence of the business of the Trust?—I have.

365. I think previously you were in the service of the Mersey Docks and Harbour Board?—Yes.

366. The Harbour Commissioners are a body corporate under an Act of Parliament?—They are.

367. What is the first Act?—The Belfast Harbour Act, 1847.

368. They comprise 21 Commissioners, all elected, I believe, by the ratepayers and ship-owners?—They comprise 21 Commissioners, all elected by the ratepayers and ship-owners.

369. Then the Mayor of Belfast is an *ex officio* member, and the Very Rev. Marquis of Donegal is also a member for life?—Yes, he is a life member.

370. The property of the Commissioners extends both into the County Antrim and County Down, does it not?—It does.

371. And without going into too great detail we may put it generally that the whole of the harbour works, docks, quays, and everything connected with the accommodation of shipping at Belfast, is under the control and management of the Commissioners?—That is so.

372. And with a small exception, I think, nearly the whole of their estate lies within the municipal boundary of the borough?—It does.

373. The harbour property (am I right in this) is vested in the Commissioners exclusively for public purposes?—That is so.

374. There are no private interests of profit in connection with it?—None whatever.

375. Let me ask you, as regards the revenues, which, of course, are derived from tonnage rates, dues on goods, and wharfage, what are they applicable to; first, of course, to paying the expenses of the trust?—That is so.

376. Then, I suppose, to paying the interest on the monies borrowed?—Upon the loans.

377. Upon the loans?—And providing for a sinking fund under the 1882 Act.

378. You have to call upon your revenue further, I think, to provide further improvements that become necessary from time to time?—Quite so.

379. May

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Mr. CURRIE.

[Continued.]

379. May I take it that, assuming as trade grows, there is any profit or surplus revenue over and above those objects, that it would be met by the reduction of the tonnage rates and dues, and so on?—That is so.

380. In fact, further than that, I believe some time ago it was found necessary to raise the rates, was it not?—It was; the rates were doubled, almost.

381. Did you say they were doubled?—About doubled.

382. And at that time was there a sort of informal pledge given to the Corporation of the town that, as soon as the financial circumstances of the Commissioners admitted of it, they would be reduced again?—That was so. There were certain works to be carried out, and it was understood that on the completion of those works a reduction of rates would be made.

383. *Chairman.*] When did you say this was?—This was about eight or nine years ago.

384. *Mr. Bidder.*] I suppose it is hardly necessary to ask you, Belfast has other ports that compete with it in Ireland?—It has, and in England.

385. And the question of the rates that you charge is an important factor in the development of the trade of the town?—No doubt, very important.

386. Therefore, anything that retards the lowering of your rates is injurious to the prosperity of Belfast?—I consider so.

387. I had better ask you to give me just one figure. At the present time what is your loan debt under your various Parliamentary powers; what is the total?—£. 931,104; that is on the 30th July last.

388. Going back to 1847 it was at that time, I see, very little over 200,000 l.:—That is so.

389. That represents the enormous works done and improvements carried out since?—It does.

390. And I believe with a corresponding development of trade?—Yes.

391. Now, as a matter of fact, as to your own property, is it lighted by the town?—It is not. We do all our own lighting.

392. Is it sewered by the town?—It is not.

393. You do that also, I understand?—We do.

394. Your streets and roads, are they made or repaired or paved by the town?—No.

395. That is all done by yourselves?—It is.

396. And the watching, is that done by the town?—No, it is done by our own staff of harbour constables. The Royal Irish Constabulary (a small number of them) attend the arrival and departure of vessels, but I do not know for what purpose.

397. Very possibly they have duties of their own to perform, when vessels arrive?—They have, checking the shipment of cattle and so forth, I think.

398. But as a matter of fact you have a constabulary staff of your own, have you not?—We have.

399. How many men?—Forty-five men and four officers.

400. And do they by themselves and unassisted perform the whole duty of keeping order within your premises, and watching and protecting goods and property of all descriptions?—They do; but in addition to the harbour police under the bye-laws of the Harbour Commissioners any person leaving goods upon the quay during the night is required to have a watchman over them.

401. That is part of the conditions upon which goods are left unprotected?—It is.

402. *Chairman.*] Where does the watchman come from?—He is provided by the consignee of the goods; the owner of the goods.

403. You have nothing to do with that?—We have nothing to do with it.

404. Therefore any sort of character may be brought in there?—Not any character. They are generally trustworthy.

405. *Mr. Bidder.*] Then I think you pay the Corporation for all the gas required by you either for public lighting or private lighting, and for your offices and so on, right away through the whole estate?—We do.

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406. And

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[Continued.]

406. And all the gas-pipes and everything in connection with the gas service is your own provision?—It is all round.

407. By-the-bye, I may just as well ask you what would the maintenance of that large staff of police represent in money per annum?—£. 3,000 per annum in round numbers.

408. £. 3,000 a year. And the lighting, can you give us an idea of about what it represents?—About 650 l. per annum.

409. I do not know whether you can put similarly a figure upon the road repairs?—In 1886 it was 534 l. 1 s. 10 d.

410. *Chairman.*] That is for roads?—Repair of streets and roads.

411. *Mr. Bidder.*] So much for the facts. Now let us put before the Committee very shortly, if you please, the legal position. In 1845, as we know, the Belfast Corporation obtained an Improvement Act, which covered every purpose under the sun, and is about the longest Act I ever saw, I think. It is 420 sections long, covering paving, culverting, lighting, improving, watching, police, and everything of that kind?—That is so.

412. And I see, for instance, Section 220 of that Act, expressly provided that the council shall provide constables and inspectors, and so on?—Yes.

413. Another section authorized them to levy a rate for the purposes of the Act; Section 348?—Yes.

414. They attempted, I think, in the first instance, to assess your property in the ordinary way, and there was at that time a dispute between them and the Harbour Commissioners, is not that so?—That is so, I believe.

Mr. McConnell.] This gentleman was at Liverpool, I understand.

415. *Mr. Bidder.*] Yes, we will take it shortly. In consequence of that, was the Act of 1847 passed?—It was, but not altogether in consequence of that.

416. Amongst other things?—Amongst other things.

417. The important part of Section 41 of that Act is set out in paragraph 12 of our petition. "Whereas doubts have arisen in respect to the principle of valuation, &c." (*reading the Section*). Then it says, that we should deduct from such annual sum 12½ per cent. upon the amount for the expenses of collection. Now that had the effect of relieving the Harbour Commissioners to an enormous extent, had it not?—It had to a very considerable extent.

418. Putting them as regards their property upon a very much lower basis than the other property in the town?—Quite so, as regards valuation.

419. And under that Act they contributed a very small portion. I think at any rate from the year 1866, or somewhere thereabouts?—Yes.

420. In 1865 an Act was passed which is referred to in the petition in paragraph 14. That Act authorized the Corporation to levy a new rate or tax, to be called the General Purposes Rate?—Yes.

421. That is the time when the county roads were handed over to the borough. At that time (of course you were not with the Commissioners then) it appears that the Commissioners did not appear in Parliament?—They did not, I believe.

422. They were under the impression as I understand that they were protected by the former Act of 1847?—It would appear so from the action that they took a year or two afterwards.

423. They litigated the question afterwards, did they not?—They did.

424. And were defeated?—Yes, they carried it as far as the Court of Exchequer, I think.

425. That is sufficient. We do not want to go into the merits of it further. They were under the impression that the Act of 1847 would apply to this new rate as regards their assessment?—Quite so.

426. So that they would have to pay the rate like everybody else, and that they would be assessed upon the principle laid down by Parliament in 1847?—Yes.

427. That was litigated, and it appeared according to the decisions of the Courts of Law that they were under a wrong impression?—It is so.

428. *Chairman.*]

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[Continued.]

428. *Chairman.*] May I ask whether they were rated within the 2s. or 1s. 6d.?—

429. *Mr. Bidder.*] How will that be; will you answer that. Do we come within the 2s. district, that is the rateable property within the lighted and watched district, or the eighteen-penny district?—In 1865 the police rate that was levied under the 1847 Act was a 3s. rate.

Chairman.] I am speaking of the 1865 Act, which you litigated.

430. *Mr. Bidder.*] The *Chairman* points out that there were two rates in the 1865 Act, 2s. for the lighted and watched district, and 1s. 6d. for anything outside that?—It was the 2s. rate.

431. That is to say, not that we were actually lighted and watched by the Corporation, but we were within a district which they had defined as the lighted and watched district?—Quite so.

432. *Chairman.*] And although you lighted and watched yourselves, you still came under the 2s. rate?—We did.

433. *Mr. Bidder.*] That is because we came within the lighted and watched district. (To the *Witness.*) I think in consequence of that adverse decision, when further application was made to Parliament for rating powers in Belfast, the Harbour Commissioners appealed to Parliament to be protected, and have the matter remedied in future legislation?—They have done so since 1884.

434. The first occasion, I think, was the Act of 1884?—They have done so on every occasion since 1884.

435. I think there have only been two, have there; 1884 was when the water corporation came for further powers, was it not?—Yes, in 1884.

436. The corporation is not the municipality, nor is it a private company, is it?—No.

437. But it is a public corporation which has power to levy water rates?—Quite so.

438. Have you got the provision which was inserted at the instance of the Harbour Commissioners in the Act of 1884, the Water Act; in England, of course, we should have expected, if it was a municipality, the municipality would have had the water, but, apparently for some reason, they are separated in Belfast. In Clause 51 it was provided that all lands covered with water, or used as a dock or timber pond, and all quays, the property of the Belfast Harbour Commissioners, and all lands used as a railway constructed under the powers of our Act, and all tramways laid in the public streets under the powers of any Act for the public convenience, shall be assessed and liable in the proportion of one-fourth part only?—One-fourth part only.

439. Then the next occasion was the Bill which was introduced last Session but which did not get through last Session, and only became an Act a few days ago, I think?—Yes.

440. That is in the Belfast Main Drainage Act?—Yes.

441. That is a Bill which was promoted by the Corporation, is it not?—It was promoted by them.

442. It covers a good many of those purposes; I do not know that it touches police, or sewers, or so on?—Drainage principally.

443. Did you appear before the Committee in opposition to the Bill; when I say you I mean the Commissioners?—The Belfast Harbour Commissioners did.

444. I believe there was a very severe contest, and the whole matter was threshed out between you and the Corporation?—That is so.

445. That may save us a little trouble now; however, the result was again that Parliament, recognising that your position entitled you to exemption, inserted Section 76 of the Act, which received the Royal Assent on the 19th of last month, and in respect of any increase or addition to the General Purposes Rate, made for the purpose of this Act, the Belfast Harbour Commissioners in respect of all land covered with water, or used as a canal, and any

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[Continued.]

towing path to the same, shall be assessed and liable in the proportion of one-fourth part only?—That is so.

446. *Chairman.*] Does that main drainage come out of the general purposes?—It does.

Mr. Bidder.] The principal object of that Bill, Sir, no doubt, was drainage.

Chairman.] But it comes out of the general purposes.

Mr. Bidder.] And it comes out of the general purposes.

Mr. McConnell.] It was a special Act, and a special rate.

Mr. Bidder.] This is the provision of the Act; let us have no wrangle about providing for the expenses of it. "In estimating every year under the provisions of their local Acts, the amount required for the several purposes to which the general purposes rate is applicable, the Corporation or committee of the Corporation, as the case may be, shall include as nearly as may be the amount that will be required for the purposes of this Act," and so on, and the amount for the sinking fund of this Act; that is Section 75. Then it is followed immediately by the section which gives us exemption to the extent I have mentioned.

Mr. McConnell.] I wish my friend when he is reading the section would read it all.

Mr. Bidder.] Certainly, if you think it is material. I tried to shorten it, and save time by reading what was material. You have a right to ask me to read it. "Provided as herein expressly," &c. (reading down to) "2s. 6d. outside." I do not see that it is material to the point we are discussing, but you wished it read, and I have read it.

447. *Chairman.*] I should just like to ask the same question that I did before. Do you come under the lighted and watched area there?—We do.

448. *Mr. Bidder.*] In the same way?—

449. *Chairman.*] You are liable to three-fourths of it?—We should be liable to 3s. 4d. on the bulk of our property. There is a little of our property which is not within the district.

450. *Mr. Bidder.*] We come in the same technical way within that lighted and watched area, because we are within the area described by the Corporation as being the lighted and watched area?—Quite so.

Chairman.] I only want to see whether there had been any change in that since the Act of 1876.

Mr. Bidder.] In fact it says the area lighted and watched under the provisions of the earlier Act; so it is the identical area you see, Sir.

Witness.] The only area of the Belfast Harbour Commissioners property which does not come within the lighted and watched districts may be considered at present as waste ground.

451. Under those circumstances, can you see any distinction, in principle, between those cases and the particular increase of the police rates now before the Committee?—No material distinction whatever.

452. Is there any reason in principle why the same exemption does not justly and properly apply to the harbour estate?—I think, seeing that the Harbour Commissioners provide their own constabulary, they ought to be relieved entirely from the watch rate.

453. However, the Harbour Commissioners, as I understand you, are perfectly content, and bow to the decision of Parliament in this other case, and suggest that Parliament should follow the same principle here which it did last month in the Drainage Act of last year, or the Water Act?—Quite so. The feeling of the Harbour Commissioners, I think, is that if the concession of the

the one-fourth clause is made it would be a fair and reasonable solution of the difficulty.

454. Particularly having regard to what you have said about the position of the Commissioners, is it really in the interest of Belfast itself that that which is really a tax upon the commerce of the port should be made as light as possible?—It is, no doubt, seeing that Belfast is in competition with other Irish ports, in the north of Ireland, Londonderry, for instance, where the Harbour Trust pay no police rate, having a special police of their own, and also with Liverpool and Glasgow as regards the import foreign trade.

455. I forgot to ask you that; you used to be at the Mersey Dock Board; do they get exemption of a similar character under the Liverpool Acts, do you know?—Not quite in a similar manner.

456. But practically?—They pay the corporation for the police force which the corporation provide for them.

457. That is the same thing as your finding your own, or equivalent to it?—Equivalent to it.

458. They hire from the corporation the policemen, and you take the men into your own service?—That is so.

459. In the Liverpool Improvement Act are they put upon the one-fourth rate?—They are. In the Mersey Docks Consolidation Act, 1858, there are clauses which empower the Mersey Board to refer the question to arbitration in case of any dispute as to the amount payable by the board for police being a reasonable and just one, so that the Mersey Board have an appeal in case they think they are hardly dealt with. That of course was before the Public Health Act, 1872.

460. In the Act I see there is a provision that land covered with water and used only as a dock or canal or towing-path or railway shall not be rated in the greater proportion than one-fourth?—For many years the Liverpool Corporation and the Birkenhead Corporation have given the Mersey Docks and Harbour Board the one-fourth clause in respect of almost every rate which has been levied.

Cross-examined by Mr. McCConnell.

461. Your Harbour Board pay at present the full proportion of the general purposes rate on their valuation, do they not?—We do.

462. And the exemption under Section 76 of the Main Drainage Act of 1887 is in respect of the increase or addition which may arise under that Act for drainage purposes?—Which may arise.

463. It is in respect of that that you have the exemption?—It is.

464. And that exempting clause is taken from the English and Irish Public Health Acts?—I believe so.

465. And that Act was offered to you before the Main Drainage Bill was before Parliament at all by the corporation?—Not to my knowledge.

Chairman.] You will explain that presently, I suppose, that provision.

Mr. McCConnell.] That clause, Sir, is taken from the English and Irish Public Health Act, and as it became necessary, for some technical reasons, that this Main Drainage Bill should come before Parliament.

Chairman.] Some time in your examination or speech you will explain what that clause is, because we cannot carry it all in our heads I am sorry to say.

Mr. Bidder.] I am told that was the subject of a long fight before the Committee with the Belfast Harbour Commission.

Mr. McCConnell.] It was the subject of a fight no doubt before the Committee, because I believe you claimed exemption; entire exemption altogether, as you do in this case, and that ratesability as to only one-fourth was offered in writing by the corporation.

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[Continued.]

Chairman.] I do not understand that the Harbour Commissioners claim total exemption.

Mr. Bidder.] Not now.

Chairman.] They claim to be rated one-fourth.

Mr. Bidder.] Quite so.

Mr. McConnell.] In the first instance there is total exemption, but there is an alternative, they say we will accept one-fourth.

Mr. Bidder.] We said in principle we might be exempt, but we accept the one-fourth.

Witness.] I do not think the Harbour Commissioners ever claimed total exemption from the addition to the general purposes rate to be made under the Belfast Main Drainage Bill.

466. *Mr. McConnell.*] Kindly answer my question. Can you say yes or no, whether that exemption was offered to you before the Main Drainage Bill was before the House?—It was not offered to the Harbour Commissioners.

467. Have the corporation offered to watch your harbour premises?—I believe they have.

468. And have you refused to allow them to do so?—They offered to watch by means of the Royal Irish Constabulary, which would be of no use whatever.

469. I only want to ask the question, have they offered?—They have.

470. With such constabulary as they are empowered to employ have they offered to watch your premises?—Yes, they have.

471. They have done so and you have refused?—They have offered. The Royal Irish are for the preservation of the peace, and not for the watching of property.

472. You think it is necessary to employ for the purpose of watching men of your own?—More like municipal police.

473. And you appoint those men yourself; your board appoints them?—We do so under the Harbours, Docks, and Piers Act.

474. Have the corporation offered to light the harbour premises?—They have not. They have offered to light a very small portion of them.

475. Have they offered to light your thoroughfares?—Yes, they have offered to light the open streets. A very large portion of our property consists of quays.

476. And excepting new streets which you make for yourselves, does the corporation sewer the property?—Not the harbour property.

477. None of it?—Not to my knowledge.

478. Have not they made a large sewer through Middle Park-street (I think that is the name)?—Not to my knowledge. I believe we have to give them the right of crossing our property for their town sewers.

479. *Mr. Bidder.*] You lie between them and the sea, and they must cross you?—They must cross our property.

480. That is not sewerage your property?—No. In fact their sewage is a great nuisance to us. It costs us thousands a year to get rid of it.

481. *Chairman.*] That right of way costs thousands a year, do you mean?—It fills the river with sewage and we have to dredge it away.

482. *Mr. McConnell.*] When you make new streets you have to lay out streets the same as any other owner of property in Belfast?—We have.

483. You have been laying out a good deal?—Of course we can do anything we like on our own property.

484. Of course, if you were exempted from the increase of rating, which you apprehend in this case, it would throw more upon the inhabitant occupiers of the borough?—A mere trifle; a mere nothing in my mind as compared with the disadvantage of weighting the harbour and port of Belfast in competition with other ports.

485. What

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Mr. CURRIE.

[Continued.]

485. What does the "weighting" amount to?—The weighting of the public?

486. The weighting of your corporation?—I think that every 100*l.* is a sensible weight upon the shipping of Belfast.

487. Have you formed any idea of how this exemption of yours for the additional expense would be carried out; how it would be estimated, or how it could be?—How it would be carried out?

488. How it could be. It is practicable, is it?—Oh, yes.

489. How would you assess the increase on the fourth of your particular part?—You mean how would I ascertain that portion on our estate?

490. I think all the increase that is likely to arise from the proposed Act is payable out of the general purposes fund?—This present Act you are speaking of?

491. Yes. How would you estimate in that rate the proportion of the increase which you would pay; how is it possible to carry out your suggestion, practically?—The borough accountant would do that without any difficulty at all if the corporation gave instructions for it to be done.

Mr. Bidder.] The corporation would have to do it. They do it under the Act.

Mr. McCannell.] I am not speaking of that Act. The increase is a separate rate there, as I pointed out before.

Mr. Bidder.] So it would be here. If my friend will look at Clause 9 of this Bill, which is before the Committee. When he asks how it is to be separated, the corporation are to provide out of the general purposes rate such sums as may be certified to them by the watch committee to be necessary for the salaries, and so on.

Witness.] The borough accounts could show it distinctly.

Sir Richard Wyatt.] I am sure you, Sir, and the other members of the Committee, will be sorry to hear that Mr. Meysey Thompson, who was very ill yesterday, has been ordered off this morning, and I have just received the information that Dr. Bell has requested him to leave London immediately, so that he will unfortunately be unable to attend again before the Committee, and in his absence, perhaps, you will allow me to put one or two questions to the witness.

Chairman.] Certainly.

Mr. Bidder.] I suggest to Sir Richard that really on this question it is practically between my friend and myself, and that the Government feel nothing about it.

Chairman.] Not quite so.

Sir Richard Wyatt.] When it is strictly that you may rely upon it that I shall not intervene.

Cross-examined by Sir Richard Wyatt.

492. I understood you to say that the Harbour Board had declined the offer to supply police for your establishment?—I cannot say whether we absolutely declined it.

493. An offer was made?—An offer was made which has not been accepted.

494. But may I venture to ask whether the reason was that you are responsible for all the property that is entrusted to your care?—That could not have been the reason, because it is not so as a fact.

495. Will you please answer me that question, is it a fact?—It is not a fact.

496. Is it a fact that you are responsible for the loss or damage to any goods that are entrusted to your care?—

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[Continued.]

Mr. Bidder.] That would be so; I admit that.

Witness.] It is not a fact.

497. Sir Richard Wyatt.] It is not a fact, you say?—No.

497*. Will you explain to the Committee how that is. Your counsel admits that that is a fact, do you show why he is wrong?—I think I have already stated in my first examination that every consignee who leaves his goods upon the quay is required by the bye-laws of the Harbour Commissioners to provide a watchman.

498. Chairman.] "At night," you said?—Practically it is at night.

499. That is what you said; I took it down. You said that every consignee who left his goods all night, was obliged to furnish a watchman, and I come to the conclusion, from what you said, that the company would be responsible during the day-time?—No, that is not so. I do not believe the bye-law mentions night at all, but in practice the man is put on at night.

500. Sir Richard Wyatt.] Do I understand you to mean that it is the duty of every consignee to see that his goods are properly housed, and not left on the quay?—That is so. In cases where we put a penalty rent upon goods left upon the quay beyond the prescribed time, the goods remain at the risk of the owner, notwithstanding that we take this penalty rent from him.

501. But if put into the warehouse, and anything happens to those goods that they are stolen or damaged in any way, you would be responsible for it?—The Harbour Commissioners have no warehouses.

502. Mr. Bidder.] They do not act as warehousemen?—We do not act as warehousemen.

Mr. Bidder.] That is it.

503. Sir Richard Wyatt.] Have you any buildings whatever connected with the harbour and docks?—We have sheds on the quays, which are merely roofs to protect the goods from the weather.

504. And are they not rated?—They are rated generally, that is with the docks or quays; that is to say, they take the dock and rate the dock at so much.

505. The learned Counsel referred to the Liverpool Act of 1871; the provision which he read does not exempt buildings from the operation of that section?—No; that is quite right. The buildings which are therein referred to are large stacks of warehouses, such as the Albert Dock Warehouse, the Waterloo Grain Warehouse, the Stanley Dock Warehouse; not sheds.

506. Are you familiar at all with the practice in the docks and quays of London?—To a certain extent I am.

507. Are you aware that they employ policemen, or, as I should call them, watchmen?—I am.

508. And they pay for them?—I believe they do.

509. That they are not exempted from the rates of the metropolis?—They do not seek exemption for reasons best known to themselves.

510. Sir James Corry.] But the dock companies in London are all private companies, are they not?—They are all private companies, and they are not parallel cases at all.

511. Sir Richard Wyatt.] You are also aware that the warehousemen of London and all large establishments do not choose to leave the protection of their property solely to the Metropolitan police, but that they have their own special watchmen?—That is so, but we are not warehousemen, and the two descriptions of property are totally different.

Re-examined by Mr. Bidder.

512. In point of fact in London, as we know, the Dock Companies act as warehousemen, and other people act as warehousemen, and make large profits by warehousing goods?—Quite so.

513. That

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[Continued.]

513 That is no part, as I understand, of your business?—None whatever.

514. And these sheds, as you say, are mere shelter sheds, and they are not sheds out of which you separately derive any rental or profit?—That is so. We get this penalty rent—

515. That is simply a way of making a man remove his goods?—Quite so.

516. Just a question or two about the questions asked you by my learned friend for the corporation. He has asked you whether the corporation have offered to watch your estate. In point of fact, what you do, both as regards watching and lighting, is under the provisions of the General Piers and Harbours Act, which is incorporated with your Acts?—Yes, under our own Acts.

517. Under your own Act?—Which incorporates the harbour, docks, and piers, and one or two other public Acts.

518. Which expressly authorises you to do these things yourselves?—Quite so.

519. So much for the legal position. Now another thing; would it be consistent with the satisfactory management and conduct of your business to have the watching in the hands of the corporation, or the lighting?—If the corporation could give us men equal to the English municipal police, such as London, Liverpool, and Manchester, I have no doubt that they would carry out their business as well as our own police.

520. Mr. Lawson.] The London is not municipal police?—It is not.

521. Mr. Bidder.] For instance, as regards the lighting, let me put that; you constantly in the course of your alterations and improvements have occasion, have you not, to take up and re-arrange all your gas system?—We have continually in case of any alteration to face that.

522. For that purpose it is important to keep it under your own control?—Quite so. The Harbour Commissioners recently re-constructed the whole of the Donegal Quay, and that would have been almost fatal if it had been in the hands of the Corporation.

523. My friend asked you what the burthen under this general Act might amount to. May I ask what are you rated at annually by the Corporation now?—The amount of the annual valuation?

524. Yes?—About 25,000 *l*.

525. £. 25,000 a year, so if that were the revenue up to the—

526. Chairman.] Please make that clear. I have not got that?—That is the annual valuation upon which we pay the rate.

527. You are rated on 25,000 *l*?—We are rated on 25,000 *l*. in round figures.

528. Mr. Bidder.] As the annual value?—Yes.

529. Therefore, if under this Act which has just been passed in this year, they raise the general purposes rate to 3 *s.* 4 *d.*, your annual rate will be 4,100 *l.*, or 4,200 *l.*; 4,133 *l.* about?—It will not quite come to that, because a portion of the 25,000 *l.* would be made up of such works as engine-houses, and so forth, and in respect of those we do not ask for the one-fourth. We only ask for the one-fourth in respect to—

530. You do not follow me. Suppose there is no exemption of one-fourth, supposing you are simply under the General Purposes Act, the Act that gives the general purposes without any exemption; then, inasmuch as the Bill of this year says that rate may be raised to 3 *s.* 4 *d.* if there were no exemption—

Chairman.] Pardon me, Mr. Bidder, they are rated to one-fourth for certain specific objects.

Witness.] A small portion.

531. Mr. Bidder.] Yes, you are quite right, Sir; under this Act they would be strictly. (To the Witness.) But if it were not for that, if you were at the full rate, the burthen would represent some 4,000 *l.* a year?—It would represent about that.

532. Sir James Corry.] If this Bill is passed, and the additional police force
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[Continued.]

extended to Belfast, what the Harbour Commissioners practically want is that they shall be put upon the same footing with reference to rating as in the Drainage Bill, is it not?—Yes; we ask for the one-fourth clause. The clause which we ask for is not in precisely the same words, but it is to the same effect; it is a little clearer.

533. Mr. Campbell.] The harbour authority is at present rated upon two different principles, is it not?—It is.

534. One for the ordinary police purposes, and the other for general purposes?—A portion of the police expenditure is debited to the rate levied under the 1845 Act, called the police rate; a portion of it is debited to the general purposes rate raised under other Acts, and in connection with that I would like to point out to the Committee that in 1884 42·3 per cent. of the expenditure on police was defrayed out of the police rate levied under the 1845 Act, in respect of which the harbour property is on the lower valuation, while 57·7 per cent. was debited to the general purposes rate. In 1884 the Harbour Commissioners asked for this one-fourth clause for the first time. In 1885 the percentage debited to the police rate had fallen to 15·38, while the balance of 84·62 had been debited to the general purposes rate, and I understand that for the year 1886 the amount debited to the police rate is only 9·55, whilst 90·45 is debited to the general purposes rate, to which we are assessed at the full.

535. Mr. Bidder.] That is to say, they have been turning over the police rate in larger proportions year by year from the rate for which you have protection to the rate for which you have not?—Quite so.

536. Mr. Campbell.] Can you say upon what amount of valuation you are assessed to the police rate?—It works out to about 9,000 *l*.

537. Then on the general purposes rate you are assessed on a valuation of 25,000 *l*. a year?—In round figures about 25,000 *l*. a year.

538. What proportion of that 25,000 *l*. represents land, quays, docks, timber, ponds, and other properties?—I could not say. £. 15,000 to 20,000 *l*. probably, but I have not gone into that.

539. Something like three-fourths of the whole?—I should think so.

540. And upon that proportion you claim to be assessed for one-fourth only?—Quite so, the value of that being chiefly quays, which are public quays almost like public roads, with a shed over them to protect the goods from the weather, and water space; no buildings. We do not claim any exemption in respect to buildings.

Sir James Corry.] Have you clauses prepared necessary to carry out your views to submit to the Committee.

Mr. Bidder.] Oh, yes, Sir, I will hand this clause in. (*The same was handed in.*)

Witness.] Perhaps I ought to mention that our tramways are constructed for public conveyance under an Act of Parliament.

541. Mr. Campbell.] Have you any difficulty now in arranging with the Corporation as to what proportion of your valuation is to be subject to the deduction?—We have never had an opportunity. Such a difficulty has never arisen, because the Corporation Act in which the one-fourth clause is given has only just been passed this year, but we have had no difficulty with the Water Commissioners, nor is there any difficulty. The same question arises in almost every port, Liverpool, Southampton, Hull, and there is no difficulty whatever.

542. You do not anticipate any difficulty about that?—No difficulty whatever. I myself have settled the question with the rating valuers at Liverpool without any difficulty.

543. Chairman.] What is the amount, roughly speaking, that you are fighting for, the difference between being assessed at one-fourth for this new rate, or, if you are assessed at the whole?—I have not worked it out.

544. But surely you know, as a practical man of business; you have read the

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[Continued.]

the Act, and you know how many more men may be put upon Belfast; you know what your proportion of that would be?—Taking the constables at 100 *l.* each per annum, and there are about 200 of them.

545. Mr. *McCConnell*.] It is 68 *l.* per annum each man which the Corporation pays?—That is not the total cost of the constable, I am sure.

546. *Chairman*.] Put it in your own figures?—It may be that the Government give something towards it.

547. Take your own figures; you would be rated on 25,000 *l.* worth of property; is that so?—That would be so.

548. Not on 9,000 *l.*, but on 25,000 *l.* worth of property?—No; it would be on the 25,000 *l.*?

549. Can you tell the Committee what the difference would be between your rating on that number of men or the whole of your rating at one-fourth?

Mr. *McCConnell*.] On your property figures the total increase of the police watching of the borough would be 2,400 *l.* per annum.

Mr. *Bidder*.] Is that including magistrates?

Mr. *McCConnell*.] I said, for the police 2,400 *l.* per annum.

Sir *James Corry*.] Under this Bill?

550. Mr. *McCConnell*.] It would not be 1 *d.* in the pound on the whole of Belfast; is that so?—I should not make it so at all. I understand there are 200, or nearly 200, constables.

Chairman.] Your witness is a skilled witness; therefore I asked the question.

Mr. *McCConnell*.] We do not care particularly about the figures.

551. *Chairman*.] We do not; and I ask the Witness the question because I do care about the figures, and wish to have them!—I will get them for you in a moment. If I can get the total rateable value of Belfast I could give it you in a moment.

Mr. *Bidder*.] Do you know the rateable value, Mr. *McCConnell*?

Mr. *Black*.] It is upwards of 600,000 *l.* a year.

Mr. *Bidder*.] So we are a twenty-fourth part of the whole?

Chairman.] Now take that and find out what the difference is on the one-fourth that you are fighting for.

Mr. *Bidder*.] The difficulty is to tell what the total is; if you know what the total expenditure is, a twenty-fourth part of that would be easily ascertained.

Witness.] I make it a possible 600 *l.* a year.

552. *Chairman*.] If you are assessed on the whole, you make it a possible 600 *l.* a year, do you?—Yes; if all those constables are appointed.

Mr. *McCConnell*.] I should like, Sir, if you would ask the witness the basis upon which he founds that calculation.

Chairman.] Yes, I should like to get it.

Mr. *Bidder*.] I have been trying to get it, but I confess my stupidity; I cannot make out under Clause 2 what the number of constables is to be.

Chairman.] You can increase up to 120.

Witness.] One hundred and twenty the total?

553. *Chairman*.]—I think it was more in the original Bill; was it not? I have

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[Continued.]

have taken it at 200. That would reduce it to between 300 £ and 400 £ that we are fighting for.

554. *Mr. Bidder.*] There are 80 constables in the first paragraph of Clause 2; that would be 5,500 £ a year. Then there are 116 night watch, which is only an extra payment?—Yes; 116; that is the way I make it.

Chairman.] We will get a fresh witness to give us those figures.

Mr. Bidder.] I admit we are a little fogged as to what the amount is.

555. *Chairman.*] One other question I want to ask you: you stated that the Harbour Board declined (I think that was the word you employed) the offer of the Corporation to watch their premises on the ground that they were going to watch them by men of the Royal Irish Constabulary?—Oh, no; I do not think I said they had declined. I said I was not sure it had been declined, but it had not been accepted.

556. You said you were not sure it had been refused, and I think you did say it had been declined. I understood that, certainly?—It was not my intention to say so, because I am not aware whether it has been absolutely declined or not.

557. Whether declined or not accepted, it was not accepted on the ground that it was to be watched by the Royal Irish Constabulary?—That reason was never given officially.

558. That is the reason you gave us?—No doubt.

559. A further reason you gave us was, that the Royal Irish Constabulary was a force for the preservation of the public peace, and not for the protection of property?—That I believe was the reason I gave.

560. And that is the reason why the Harbour Commissioners refused the offer of the Corporation to watch their premises?—No.

561. That is what you have given the Committee?—The Royal Irish already patrol the quays, and probably, under this Act, if 300 police were sent into Belfast, there would not be two additional men sent on to the harbour property.

562. You are going off on to an entirely different question. I am speaking of the question of the non-acceptance by the Harbour Commissioners in times gone by of the offer of the Corporation to watch the harbour premises. You stated then that it was not accepted, because the premises would be watched by the Royal Irish Constabulary, and that the reason for objecting to the Royal Irish Constabulary was that they were a force for the preservation of the peace, and not for the protection of property?—It may be taken that that is correct.

563. We may take it that that is the opinion of the Harbour Commissioners? I believe so.

Chairman.] I think we shall have to call the Deputy Inspector of the Royal Irish Constabulary again upon that point.

Mr. Bidder.] I have here, Sir, the Chairman of the Belfast Harbour Commissioners, but I want to save your time. If my friend would like me to call him, I will do so. I do not think he would add anything. I do not want to occupy more of your time unnecessarily, and will not call him unless anyone thinks he ought to be put in the box.

Chairman.] You do not wish to call the Chairman.

Mr. Bidder.] For my own purposes, I do not think it necessary, but if the Committee or my friend wish to ask him any question, he shall be put in the box.

Chairman.] No, I do not think it necessary.

Mr. Bidder.] Then that is all the evidence that I will trouble you with.

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Mr. HENRY THYNNE, re-called; further Examined.

564. *Chairman.*] Did you hear the last witness' statement with regard to the Royal Irish Constabulary?—I did.

565. You heard him state that they were a force for the preservation of the peace, and not for the protection of property?—I did.

566. Is that a correct description of the duties of the force?—It is not.

567. Do you consider they are bound to look after property?—Not only bound, but they do it; and I will say, further, that there is not in the kingdom a town where property is better protected than in Belfast. People close their doors, merely turning the key, and leave their property behind when going on excursions, or to the seaside, and find it perfectly safe when they come back again.

568. *Sir James Corry.*] I presume that is the opinion of the police. A great many of the inhabitants do not share that opinion?—I think when they leave their property to the protection of the police it shows that they have confidence in them.

569. *Mr. Picton.*] It is so all over Ireland, is it not; the Irish Constabulary wherever they are protect property?—They do.

570. *Mr. Lawson.*] They fulfil exactly the same functions as the English police?—Exactly.

571. *Sir James Corry.*] And a little more?—As regards the protection of property.

Mr. JAMES H. HASLETT, sworn.

Examined by Mr. *McConnell*.

572. You are at present the Mayor of Belfast?—Yes.

573. In the last Parliament you represented one of the Divisions of Belfast in the House of Commons?—I did.

574. You have been a resident in Belfast and carried on business there for a great many years?—I have.

575. And you are a magistrate for the borough, apart from your official magistracy as Chief Magistrate?—I am.

576. On this point at present, as to the Harbour Board, as it was last before you, I may ask you have you looked at any figures as to what the increase under this proposed Act would be?—So far as I am able to judge, the increase would be about 2,800 *l*.

577. *Mr. Bidder.*] The total increase?—The total increase.

578. Two thousand eight hundred pounds?—2,800 *l*.

579. *Chairman.*] Including the magistrates?—Including, I believe, 500 *l*, for the two magistrates.

580. *Mr. Whitley.*] And the police force as well?—And the police force as well.

581. *Mr. McConnell.*] Calculated out, what would that amount to on the rateability of Belfast?—About a penny farthing; rather under a penny farthing.

582. I do not know whether you have worked out what that would amount to on the amount at which the Harbour Board are rated?—About 110 *l*. to 120 *l*.

583. *Mr. Lawson.*] One hundred and sixteen pounds odd?—It is between 110 *l*. and 120 *l*.

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584. Mr.

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Mr. HASLETT.

[Continued.]

584. Mr. McCConnell.] That is over the whole of their property?—That is over the whole; I am reminded here it is about 116 l.

585. You have heard what Mr. Currie has said in the box; have you, as a corporation, offered to light the Harbour Board property?—Oh, yes; again and again.

586. Have they refused to allow you to do so?—They have.

587. Have you proposed to watch it with police?—Yes.

588. Have you offered to do so?—Yes.

589. And have they refused?—They have refused.

590. They appoint their own police, so-called?—They do; I think not unfairly so, notwithstanding any watching we might do. I entirely disagree as a merchant with the secretary's opinion. I think they are storers of goods and must incur, whether legally or not, responsibility in watching these goods. There are sheds provided for necessary cover.

591. Mr. Currie objected to the word; he said they have no warehouses; as a matter of fact they have extensive sheds, have they not?—They have extensive cover for merchants such as as any corporation should provide, and such as they do provide well.

592. Such as there is on the docks of Liverpool?—Yes.

593. That is the sort of thing?—Yes.

594. Goods are left there for a time?—They are.

595. Mr. Whitley.] But they have not warehouses?—No.

Mr. McCConnell.] No, Sir; but they have sheds such as you are very well acquainted with, on the docks at Liverpool.

Mr. Whitley.] Yes.

596. Mr. McCConnell.] Do you think that it would be possible to work out the proportion of exemption which they seek in the rating under the proposed Act; that is to say, to work it out practically and to arrive at any figure?—I do not. Just let me explain to the Committee: on the first of each year we are bound to estimate a given amount for special purposes, and amongst those special purposes we estimate for malicious injuries. We say, for example, 1,000 l. for malicious injuries; granted that that 1,000 l. should cover all, and that there should be no necessity for a special rate. I do not see how you could possibly work out the proportion that you would strike, because it will not be struck under this Special Act, but under the old Act of 1865, and their Acts amending it. It might be simple if the amount extended to a very large sum, and you were obliged to strike a special rate, then mathematically you could calculate what proportion of that special rate would fall upon this special valuation.

597. Then, also, if that clause were passed, would this anomaly arise that under the Act of 1865, they would be paying their full proportion for compensation of injury to premises and buildings, and that under this Act they would be paying one-fourth for personal injury?—They would; that is to say, they would be paying a full proportion of the malicious injury done to premises or goods, and only one-fourth of the expense of injury done to person.

598. They at present enjoy the full protection of the police of Belfast in the preservation of the peace of the town?—They do.

599. And the same anomaly would arise as to the payment of the police?—It would, and the magistrates. They enjoy the benefit of full magisterial jurisdiction, and bring their cases before the magistrates; they are heard there.

600. Under the Act of 1865 they would be paying the full proportion for the police of Belfast?—They would.

601. And under the exemption of this Act they would be paying a fourth for the increase?—They would.

602. Those would be also that anomaly for the increased police under this Act?—Yes.

603. Would their police if left to themselves be any protection to the peace of the town?—They would be utterly incompetent to cope with even a riot on their
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their own premises; but I believe they are an excellent body of police where their shedding is concerned.

604. *Mr. Lawson.*] Do you call those watchmen police?—We do; they are specially clothed.

605. *Mr. Whitely.*] Are they sworn in as police in the ordinary way?—They are sworn in under their own bye-laws, not under the Government.

606. *Mr. Lawson.*] They have nothing to do, I suppose, with the Corporation of Belfast?—They have not, they are a specially paid police by the Harbour Board.

607. *Mr. McCannell.*] That Act which has been spoken of by my friend, and referred to of this Session, is entirely a sanitary Act with reference to the drainage of Belfast, is it not?—Almost entirely.

608. And that clause which has been referred to is an exemption given by the Public Health Acts?—A considerable amount of what is popularly known as the Main Drainage Act will be carried out under the Public Health Act.

609. It became necessary for some technical purposes to come to Parliament with reference to taking lands for that?—It did.

610. Till 1887 then they have had in all their previous Acts no exemption at all, such as is claimed now?—None at all.

611. And that is entirely with reference to sanitary purposes?—Yes.

612. This clause which they seek to have inserted in the Bill now, if it were retrospective, would be repealing all the previous Acts—

Mr. Bidder.] I do not ask to make it retrospective.

Mr. McCannell.] It is repealing the principle adopted in all your previous Acts.

Mr. Bidder.] It is not.

Mr. McCannell.] Pardon me, you may contradict me, if you please, but it is so.

Mr. Bidder.] Then refer to any Act; the Act of 1868, the Act of 1865, the Act of 1869, the Act of 1874, and the Act of 1878 are all on the same lines.

Cross-examined by *Mr. Bidder.*

613. Just let me ask you one or two questions if it is necessary to go into it. I am rather fogged about your figures. As I understand, every constable costs 68 *l.* a year?—Yes.

614. If I look at Section 2 of your Bill—?—You mean the present Bill?

615. Yes. Under the first sub-section you may have 80 constables added to your force, may not you?—Yes.

616. Eighty times 68 *l.* is a good deal more than 2,800 *l.* a year?—But you forget that the council only pay the moiety of that.

617. Then 40 times 68 *l.* is 2,720 *l.* a year, is it not?—Well, Sir?

618. Then there is the increase in the night watch of 116 *l.* more there?—Yes.

619. How much is that?—You will be able to tot up a great deal, but your premises are entirely wrong. It is better that I should correct you at once, because you are wrong there.

620. Let me tot it up quietly; then you shall show how wrong it is afterwards. You have the increase of 116 *l.* in the night watch authorised?—Yes.

621. How much does that represent?—About 1,316 *l.*

622. That brings me up to 4,080 *l.* Then under Sub-section 2, are all the constables there free, or have you to pay anything towards them?—In round numbers, if you will just come to the point—

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[Continued.]

623. I am coming to it in my own way?—The two sections read together give you the possible police for Belfast of 800.

624. But what possible charge do they give to the town?—Precisely.

625. How much?—There are 800 police, 400 of these to be free.

626. Of 400 paid by the town?—400, for which a moiety is to be paid by the town.

627. Then that is 200 paid by the town, or equivalent to it?—Precisely.

628. Two hundred times 68 will be 13,600 *l.*?—Yes.

629. Which you may add under the powers of this Bill to the police charges of Belfast?—Not at all.

Chairman.] Not at all?

Witness.] Not at all. That is the whole police charge. That is where you are entirely wrong.

630. *Mr. Bidder.*] I was going quite right if you had not insisted on diverting me. I will begin again, and go on in my own way. I know it is the shortest?—Very well.

631. Under the first sub-section of this clause you may increase your police expenditure by 4,080 *l.* a year. Is that right?—Yes.

632. What increase may there be under Sub-section 2 of your police expenses?—That is where the free force is made capable of being raised to 400.

633. Yes; that adds nothing, you say?—That is where the decrease comes in, and alters the whole thing.

634. You say that adds nothing?—No, it takes away.

635. No, it does not take away?—Oh, it does. At present we have a free force of 320. You add to that free force 80 men, and consequently that decreases the expense of the town.

636. That is to say you suggest that you expect the operation of this Bill to be that the Lord Lieutenant is going to add free men to your quota in order that you may reduce your own town's police?—Oh, no.

637. Do you really seriously suggest that is what the Bill is brought in for?—I am really serious in suggesting that they are giving a larger free force to the town, and I think very properly giving it.

638. If I add to the 4,080 *l.*, which you admit will be the additional charge under the first sub-section, the charge for magistrates, how much do you allow for the two magistrates?—I was putting down a possible 500 *l.*

639. *£. 250* a year a piece?—Yes.

640. It is a fourth part of the salary, I forgot that. Then that will be 4,880 *l.*?—Yes.

641. Of which our share would be a little under 250 *l.* Then there is the compensations in addition, how much do you put down for them?—I really could not say; I hope there will be nothing at all.

642. That is an item you cannot estimate?—That is a dark horse.

643. You said you proposed to watch the harbour property. When did you do that?—My own recollection probably would be seven or eight years ago, and continually it has been offered. This matter has been debated between the two boards. There is no unfriendly feeling, I may broadly state.

644. There ought not to be?—There is none.

645. Because they are making your prosperity?—And I am very glad to say we are making theirs; that is to say, as a rule the docks are used by the merchants in the town who bring their goods to them.

646. You have made a proposal (the Corporation) to do their watching for them. When was that?—Certainly to my own knowledge we have proposed it eight or ten years ago; but I believe it has been proposed again and again.

647. I should like to understand when you made that proposal. May I take it that you offered to provide them with the number of men they required, free of charge to them; the whole 55 men?—Oh, no. We offered to light and watch them under the provisions by which we light and watch all other property

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[Continued.]

perty in Belfast. If it is not sufficiently done they have the same redress that any merchants in Belfast would have, and appeal to the Government, and have it done properly.

648. I suppose you know they watch themselves under the provisions of the general Act of Parliament?—They do, and I think very properly they watch within their sheds. I would say that there we could not watch them any more than we could watch a private warehouse.

649. Then your watching would only be a partial watch after all?—It would be just the same watch as any merchant had.

650. Then, if they accepted your offer, they would be partly watched by your men and partly by their own men?—I think it very desirable; the same as any large merchant would watch his mill, or otherwise.

Re-examined by Mr. McCConnell.

651. You have arrived at some figures; at least my friend did by his way, which he said was the shortest, making an expense of 4,580 *l*.

652. Mr. Bidder.] Plus anything for compensation?—The simplest mode by which I can arrive at the calculation for the Committee is this—

653. Mr. McCConnell.] You shall explain in a moment; in that 4,580*l*., which is my friend's figure, how much of that is increase and how much is present expenditure; how much would you deduct for the present?—In the way he arrives at it you could not do that, but I will give you a plain calculation by which to arrive at it for the Committee in another way. Granted that there are 400 police free, and 400 police to be paid for, a moiety by the town, it gives you a payment for the 400 at a maximum of 70 *l*. (which is rather above the actual figure) of 14,000 *l*., with 1,360 *l*. added for night-watch duty, which makes 15,360 *l*. for the police as against 12,560 *l*. paid now, which gives you a net increase of 2,800 *l*.

654. Mr. Bidder.] That, of course, is assuming that you only partially exercise the powers of the Act?—It is fully exercising the power, except for compensation for malicious injury.

655. Mr. Whitley.] Did you say that came to three-halfpence in the *£*., or a penny-farthing?—A penny-farthing would be the possible increase.

656. Is that an extra penny-farthing?—That is an extra penny-farthing.

Mr. Bidder.] Is there not some misunderstanding between us; if you exercised, you told me, the powers of the Act in full?—

Mr. McCConnell.] After the mayor has given the explanation, if you will allow him.

Mr. Bidder.] It is inconsistent with what he told me.

Mr. McCConnell.] You shall point it out by-and-bye.

657. (To the Witness.) Will you point out and give the calculation to the Committee?—My calculations, which are done hurriedly, may be wrong mathematically, but they are not wrong in principle; 400 men at a moiety paid by the corporation giving 35 *l*. each, will amount to about 14,000 *l*., I think.

658. Mr. Bidder.] You have allowed for the night watchmen?—The night watchmen business 1,360 *l*. makes 15,360 *l*., as against 12,560 *l*. paid at present.

659. Mr. McCConnell.] At present your force is about 750?—During each time of riot, of course, we had an enormous force; but the normal force at present is about 750.

660. And of that you have about 325 or 320 here?—Yes, 320; and we have a smaller number. They are increasing the number that they can pay for night watch duty. Our ordinary constables when placed upon night watch duty get sixpence per night extra.

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[Continued.]

661. The night watch are not extra constables?—They are the same force of men, but when drafted to night duty they get sixpence per night as watch duty.

662. They are not additional men as individuals?—They are not additional men. It is the same men going in rotation.

663. Mr. Bidder.] I quite understand that. It represents sixpence a night for that number of men?—For that number of men.

664. That is what it amounts to?—Yes.

Chairman.] Do not you think we have got nearly enough of these figures, they are very clear.

665. Mr. M'Connell.] One question; at present you are paying for 430?—Yes, a moiety of 430.

666. Under the new Act you get 800, and if you pay for half you would pay for 400?—Yes.

667. Half of 400, and that is why you say it is cheaper?—It is.

668. You go on paying 400 and half of 400, and now the limit is 320?—

669. Chairman.] I want just to ask you one question. With regard to the extra police drafted into the town on different occasions during the riots the Harbour Commissioners, I suppose, pay their quota of that, do not they?—Yes.

Mr. Bidder was heard to address the Committee in support of the petition of the Belfast Harbour Commissioners, and to tender a clause on their behalf.

Chairman.] We will consider this clause along with the rest of the Bill.

Mr. Bidder.] If you please. I did not know whether you would take it now or postpone it.

Chairman.] No; I think it will be more convenient not to take it now.

Sir James Corry.] We will take it on Monday with the other clauses.

Mr. Whitley.] We will give the decision on Monday.

Mr. Bidder.] I have said my say, and you will not want me further.

Chairman.] Now we are ready for the Corporation case.

Mr. M'Connell.] I appear for the Corporation, Sir, and I think it would be right I should make such observations as appear pertinent at the close of the evidence rather than occupy the time of the Committee now.

Chairman.] Very good; then will you call your first witness.

MR. THOMAS HAMILTON, sworn.

Examined by Mr. M'Connell.

670. ARE you a resident magistrate at present at Belfast?—Not at Belfast, at Armagh.

671. Were you at Belfast for some time?—I was.

672. For how long?—From August 1882 to October 1883.

673. As to the magistrates of Belfast, they have acted with you when you sat there as magistrate?—Very frequently; not only during that time, but occasionally for 15 years previously.

674. How many police courts sit daily in Belfast?—Two; one is the custody court for the trial of prisoners, the other is the summons court for the hearing of the ordinary and police cases.

675. Do

675. Do the magistrates attend by the rota arranged among themselves?—Yes, the practice has been so for a great many years. There was a daily attendance in each court of two or three of the borough magistrates according to a roster established by themselves.

676. And has the general rule been that they attend on those days, and not on other days?—Yes; those who were named attended, and certainly not the others as a rule.

677. Then, in your opinion, have the lay magistrates been of service in the administration of justice in Belfast?—I think they have, decidedly.

678. And have they, as far as you know, acted with fairness and discretion in the matter?—I think decidedly they have.

679. Is it your opinion that the section of the proposed Act, which takes away all judicial functions from them, would be an advantage or disadvantage?—I do not think it would be an advantage. I think, perhaps, some changes in the existing arrangement might be made with advantage, but without dispensing with the services of the borough magistrates. I think, for instance, that the paid magistrate, whether a resident magistrate or specially appointed, should be the chairman of the court as a matter of right; as a matter of practice he generally is.

680. Have you generally presided when you have been there?—I have; I have generally acted as chairman.

681. *Chairman.*] That has been a matter of courtesy, not of right?—A matter of courtesy.

682. *Mr. McConnell.*] In your opinion would a resident magistracy of one or two be sufficient, if they were men of legal knowledge?—I think two resident magistrates, selected from the general body, would be quite capable of administering the Summary Jurisdiction Acts in the Belfast police courts, as they have done for many years.

683. And that would carry with it, if they were appointed from the resident magistracy, the power of removal elsewhere if they were found unsuitable?—Precisely.

684. The stipendiary magistracy would not have that advantage in this way proposed to be specially appointed under the Bill?—No.

685. *Mr. Sexton.*] Are you one of the four resident magistrates of whose sufficiency in point of legal knowledge connected with the Crimes Act the Lord Lieutenant is satisfied?—I am.

686. Did you ever study law?—For 20 years.

687. I mean as a student of law?—Not as a barrister, but I fancy I know as much as some practising barristers for all that.

688. Did you pass any legal examination?—I did to a certain extent, before Civil Service Commissioners.

689. I mean did you ever pursue any part of the course ordinarily pursued by a student on the way to the courts?—No, I did not.

690. How have you acquired your legal knowledge?—By daily experience and reading, and the ordinary practice of my duty as a magistrate for 20 years. I need not tell you that every day of my life I am obliged to study the statutes.

691. Has the extent of your knowledge of the law ever been tested by any recognised legal authority?—It has, in many cases by appeals against my decisions, which, I am happy to say, as a rule failed.

692. But you never passed any examination?—None, except before Civil Service Commissioners.

693. How long have you been altogether in Belfast?—I have been in Belfast very frequently at intervals for the last 15 years, but was only permanently stationed in Belfast for about 15 months. I have very frequently though been there from six weeks to two months at a time since 1872.

694. *Mr. Lawson.*] From August 1882 to October 1883 you said, did you not?—I did say that I was only permanently stationed there. I was occasionally stationed there to replace magistrates on leave, and so forth.

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Mr. HAMILTON.

[Continued.]

695. Mr. SEXTON.] Your longest stay there was 15 months?—That is all.

696. I suppose you know that under the system by which the local magistrates (the justices) interfere with the resident magistrates and with those in command of the police and military, you have had four prolonged riots accompanied by loss of life and damage to property in the course of 30 years?—I do not attribute them to their interference.

697. I ask whether that has been so?—I think not.

698. I ask you whether under that system these riots have occurred?—Yes, the riots of last year certainly did occur.

699. The riots of 1857, 1864, 1872, and last year?—I can only speak from personal experience of the riots of 1872 and last year. I was present at both.

700. Was there any complaint made against you in connection with the last riots as to your conduct upon one occasion in regard to a crowd of Catholic persons, in regard to an order to fire upon them?—Not that I remember. There were various reports in the papers from day to day regarding the conduct of various magistrates, but I most unhesitatingly say that I never made any distinction between a Catholic mob and an Orange mob. I did give orders to fire on an Orange mob on one occasion during the riots last year, but I did not give any orders to fire on a Catholic mob during those riots.

701. Are you aware that your conduct in regard to a Catholic crowd formed the subject of a complaint laid by two Catholic clergymen of Belfast against you before Mr. Cullen, the Assistant Inspector General?—No, I am not aware there was any such complaint made to Mr. Cullen. I know there was a paragraph appeared in, I think, the "Morning News," of Belfast, making such a statement, which was entirely false. Mr. Cullen had no jurisdiction over me.

702. Well, it is extremely hard to say who has jurisdiction over anybody in Belfast?—Sometimes it is hard to say; there I agree with you.

703. Anyhow, Mr. Cullen might be the medium of complaint?—He was not, so far as I know.

704. Would you be surprised if I were to prove here that these clergymen made this complaint against you, and that two days afterwards you were removed from Belfast?—No, I do not think there was any such thing. A complaint might have been made; I do not dispute that; but I say, unhesitatingly, that there were not grounds for it. On the contrary, I was in very friendly communications with some of the leading Roman Catholic clergymen, one of whom exercised himself as much as a man could do in the preservation of the peace; that was the Reverend Dr. Green; and he himself told me he disapproved of some statement that had been made, I think, by some younger clergymen; I really forget what their names were.

705. We shall produce one of them?—Very well.

706. You, at any rate, disavow any knowledge of the circumstances?—I do, entirely.

707. You say you frequently have the advantage of the advice of local justices?—Yes, daily, in the police courts.

708. Do you remember the withdrawal of the police from the Shankhill district during the riots?—No, I do not; they were withdrawn before I came to Belfast; that is, they had ceased to discharge any heat duty.

709. When did you go to Belfast during the riots?—I went to Belfast, I think, about the 2nd of August; the August riots had commenced, but they had not assumed very serious proportions at the time.

710. On the 2nd August; on what date were the police withdrawn from the Shankhill district?—I think they had been practically withdrawn for more than a month, at all events, from the time of the firing (I am not quite sure of the date now) from the Shankhill Barracks. I was in Belfast the day after that occurred; I cannot say exactly the date on which that did occur now.

711. Mr. Whitley.] That would be previous to the 2nd of August?—It was previously.

712. Mr.

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[Continued.]

712. Mr. Serton] You acted as a member of the executive council of magistrates during the riots?—No, I did not. I was one of a number of magistrates who assembled with the constabulary officers in Queen-street barracks, previous to the formation of the executive council.

713. The executive council, as I understand, was a body of some 20 magistrates, residents, and locals?—Yes, I think that is about the number.

714. Did you attend any of its meetings?—No, I did not; I was acting in the preservation of the peace in the streets.

715. Were you present at any meeting of the magistrates at which the withdrawal of the police from Shankhill was discussed?—I was.

716. What action did you take upon the subject?—I was one of those magistrates that disapproved, and expressed my disapproval, of the employment of police in small parties in the Shankhill district at that particular time.

717. I want to know more directly what action you took upon the resolution, or upon the motion to withdraw them, or to keep them withdraw from the Shankhill district?—I proposed a resolution to that effect, which was seconded by one of the magistrates. I forget his name; but I know it was carried (if not unanimously) by the great majority of those who were present, some twenty magistrates, to the effect that no small parties of police should be employed in the Shankhill district until matters settled down a little more, but that the military should be employed in detachments, with a few constables accompanying each detachment.

718. Is the Committee to understand that you, a magistrate in the service of the Crown, moved a resolution during the riots to withdraw the police from the Shankhill district?—No, I did not say that; I tell you they had been deliberately withdrawn before that. They had been withdrawn from all ordinary beat duty. A policeman at that time could not show himself, or a small party of police even, without being at once assailed by the Protestant party, and under those circumstances, and having seen myself that the lives of the men were not safe in small bodies, I said they should not be placed in those positions.

719. I wish the Committee clearly to understand what the substance is of the matter we are discussing. Were you aware when you moved that resolution that the effect would be to withdraw the police altogether from Shankhill?—In small parties it would, but they had been withdrawn from beat duty; I may tell you, at the same time, during the very most disturbed time, that was on the 5th of August, I proposed to take 200 of the constabulary myself to the Shankhill district, because I did not conceive at the time that any smaller force would be necessary to do what we could to preserve the peace.

720. The effect of the resolution moved by you at the meeting of the magistrates was to continue, as I may say, the withdrawal of the police from the Shankhill district?—It was not because I tell you they were employed, and I remained in the Shankhill district myself many days afterwards with the police, but always supported by military parties.

721. The police were not regularly quartered there?—It was simply a matter of impossibility to employ them in the ordinary discharge of their duties as constables on beat. They were withdrawn in that way.

722. Were you examined before the Royal Commission?—I was not.

723. Are you aware that twelve of your class, twelve resident magistrates, were examined there?—I know a great many of them were examined, and I know I was the senior magistrate of those who were there, and though I was employed and saw as much of the riots as anyone else, I was not examined; why, I do not know.

724. You were senior magistrate?—Yes, I was.

725. Higher in seniority than any of the magistrates examined by the Commission?—Yes, of those not stationed in Belfast.

726. Were you in Belfast at the time of the Commission sitting?—Yes, I was ordered by the Government to attend. I was ordered by the Under Secretary.

727. Can you account for the circumstance that you were not examined?—Only in this way, that I was not able to attend on the first day, on which I

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[Continued.]

was directed to attend, and then by the time I did get there all the other magistrates had been examined, and I believe the Commissioners heard so much about the details of the riot that they did not want to hear anything more.

728. Are you aware that the Royal Commission expressed the greatest curiosity and desire to learn who was responsible for the resolution that you had moved in the meeting of magistrates?—All I can say is that I had the resolution and that I tendered my evidence to the secretary of the Commission, and I was just as ready then to tell what I knew about the riots as I am now.

729. Did the document which you tendered to the secretary of the Commission contain any reference to the fact that you had moved that resolution?—I believe it was perfectly well known.

730. Did the document contain any reference to it?—I think it was a memorandum in pencil proposed by me, and seconded by another.

731. Whether in pencil or in ink, did the memorandum that you gave to the secretary of the Commission enable that gentleman to understand that you had been the official who moved the resolution concerning the police in the Shankhill district?—I am sure those who conducted the inquiry were perfectly well aware of it. All the magistrates who were present and examined, and amongst others Mr. Flynn, who has been examined here, supported my resolution.

732. I am sure you must see that you are scarcely giving me a direct answer?—I will do what I can.

733. I want to ascertain from you, if I can, if the document or the *précis* of your evidence which you gave to the secretary enabled him to see that you were the person who had moved the resolution?—I did not give a *précis* of my evidence to the secretary; I sent it to Mr. Shannon, I think, barrister, who was one of those engaged in conducting the case.

734. Do you know that Mr. Carr led the Commission to expect that you would be called?—I understood I would have been examined, and I really expected that I should be; I hardly know why I was not.

735. Are you aware that the Commission closed without any definite evidence having been obtained as to who was responsible for the resolution which you avow that you moved?—I cannot say that I am. I never disavowed the responsibility, if there was any, attached to the resolution that I proposed, but I tell you, practically, that the police were withdrawn from the Shankhill before I was in Belfast at all.

736. I want to read to you a few words from the Report of the Commission; on what days do you say you went to Belfast during the riots?—I think it was either the last day of July or the 1st of August. I did not bring my notes.

737. The Commission say, "Prior to the 8th of August"—?—The 8th August was a Sunday; that I remember very well, and I had been in Belfast at least six days before that; I think I came there about the 2nd.

738. *Chairman.*] I suppose this appendix is correct which gives the date of your duty at Belfast from the 2nd August to the 10th August?—That would have been so.

739. *Mr. Sexton.*] The Report says, "Prior to the 8th of August the police had been withdrawn from the Shankhill-road and district, and the military thenceforward acted, to a great extent, as policemen. We have been unable accurately to trace by whose orders this step was taken." Now you were in Belfast during the Commission, and you were the person who moved the resolution which led to the employment of the military instead of the police, and the Commission after sitting for three weeks said they were unable accurately to trace by whose orders it was done?—All I can say is, that the police were practically withdrawn from the Shankhill before I was there at all, before the 2nd August, and having seen from the 2nd August up to, I think, the 6th August, that in several instances small parties of police had been most murderously assailed in that district, I proposed (I think it would be about the 6th) that small parties should not be employed, that they should either be increased to very considerable numbers, such as I have mentioned, the 200 men, that I

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[Continued.]

would have taken charge of myself, or that the military should be employed with a few police.

740. The Commissioners say, "We doubt the wisdom of this movement, as we are inclined to think that the law, and the police as the guardians of the law, should have been protected at any cost, and by any force necessary"—I saw no choice. If I had been the responsible person in Belfast, I would have used my police force to the last man in the Shankill-road, before I would have withdrawn them, but I was not there, nor was I responsible in the first instance.

741. But you were directly and chiefly responsible for the resolution which led to the absence of the police from Shankill for some three weeks?—No, I could not say that.

742. Your resolution produced that effect. How many police were in Belfast at the time you passed that resolution?—They had been largely increased. I suppose there was a force of 1,000 men.

743. More than that surely. I gather that you were acting as the agent of the local magistrates?—I met them very frequently in the streets endeavouring to keep the peace, as I was doing myself, but I never acted as agent for the local magistrates either in Belfast or anywhere else.

744. I shall ask the Committee, and if necessary, the House of Commons, to draw the inference from your course of conduct, that you acted on the part of the local magistrates, and carried out their will in reference to the police force?—I can only assure you that I did not. You are at liberty to put your interpretation upon it, as you think fit. I tell you candidly I did not so act.

745. You have admitted that you moved the resolution?—I did, but not at the instance of the local magistrates. I had nothing whatever to do with them, except when I met them in the streets. I was acting entirely with the resident magistrates and the constabulary officials.

746. You say that there were no local magistrates present when you moved that resolution?—No, certainly not.

747. Where was it moved?—In Queen street Barracks; Major General Montgomery Moore was in the chair; and there were several resident magistrates present, but I say most distinctly there were no local magistrates there. I believe Sir Edward Harland was in Dublin at the time.

748. It was a meeting of the resident magistrates?—A meeting of resident magistrates and the chiefs of police.

749. Sir James Corry.] Was Mr. Thynne one of them?—Mr. Thynne was one of them, as well as I remember. I am almost certain he was.

750. Mr. Serton.] You have spoken of a roster at the local courts; I believe I am correct in saying it supplies about 10 magistrates daily, at least the names of 10 are down for each day?—I think hardly so many. The number of magistrates is large in Belfast, they had not all undertaken to attend. The roster, as it was arranged some few years ago, only comprised, I think perhaps, about 30 magistrates, but I will not be certain as to the numbers.

751. I hope you are more accurate on other matters?—There were about five or six names for daily attendance at the courts.

752. There were 10 named for every day except Saturday, and six for Saturday?—I have not been there the last four years now; I speak of what was the practice.

753. Are you aware that on the roster for each day, out of 10 there are only about one or two Catholic magistrates?—I think the Catholic magistrates, according to the proportion on the roster, attended just as regularly as the Protestants.

754. Are you aware that since the Riots Commission the Catholic magistrates, with one or two exceptions, have altogether given up attending?—I am not; I know nothing about it since.

755. Is Colonel Forbes a magistrate of much experience?—He has large experience, and about the same service as my own.

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[Continued.]

756. How long has he been in Belfast?—He succeeded me about four years ago.

757. Did you hear him inform the Commission that when there was a party case to be heard in Belfast there is always a large attendance of the local justices?—I think that was the purport of his evidence. I do not remember that I heard it; I read it, I believe.

758. Did you hear him say when he was asked whether he received any aid from the local justices during the course of the riots, "From not more than three of them"?—I was not present at his examination.

759. How many of them are there?—How many local magistrates?

760. Yes?—I believe there are between 70 and 80.

761. Are you aware that Colonel Forbes testified before the Commission that he had been very much hampered by the local justices?—I believe he did.

762. Do you offer any observations upon that evidence of so experienced a magistrate?—I only give you my own experience; I am not responsible for Colonel Forbes' opinions. He has had, perhaps, a longer experience in some respects of Belfast than I have; I mean by being permanently stationed there. On the other hand, I have known Belfast since 1872, and he did not.

763. You know it casually?—Yes, casually from being there a month, or two months, at a time.

764. How long do you say he had been there stationed?—He had been there four years. I do not think he has had any previous experience of it.

765. But he had four years' continual experience?—Yes he had.

766. What changes do you think might be made beneficially without dispensing with the judicial services of the borough magistrates?—I think the paid magistrate should be the chairman, as I suggest, as a matter of right instead of a matter of practice and courtesy, as it has been hitherto. I think that he should be chairman as a matter of right in his own court, and that the attendance of the borough justices if continued should be regulated strictly according to the roster kept; that is, that none except those who were named for the day, and no matter what the cases were, should attend; that has been generally the practice.

767. What do you say then upon the declaration of the Royal Commissioners that "unquestionably, in the atmosphere of Belfast, they are regarded by the rival parties with suspicion, which enormously militates against the weight of any decisions they may give. Further, public inconvenience is caused by their fluctuating attendances on the bench; and during the riots this was most unfortunate, as the varying character of the tribunal rendered punishments unequal, at a time when it was most desirable that they should be at once equal and severe"?—I say, in reply to that, if the course had been taken, as I propose it should be, of the paid magistrate acting as chairman of that court, and attending regularly with the local justices according to their roster, their decisions could not fairly have been found fault with. I do not know that the resident magistrates at that time permanently stationed here did so attend. I think they did not; it was strange magistrates, I think, who occasionally acted.

768. Mr. Lawson.] How would that touch this recommendation of the Royal Commission?—I do not understand.

769. Supposing the other magistrates attended, how would that touch the view of the Royal Commission that both parties would look upon their verdict with dissatisfaction?—I know that that was the opinion expressed by the Royal Commission, but I do not care who were the magistrates administering justice in Belfast, you will always find some parties who will be dissatisfied with their decisions.

770. Mr. Sexton.] Have you never learned from the Under Secretary, or from the Irish Government, for what reason, after being kept in attendance at Belfast three weeks, you were not examined by the Commission?—No, I could not ask the Under Secretary that, but I communicated the fact to the Secretary of the Royal Commission that I came there by the Under Secretary's order. I tell you at the same time a large number of resident magistrates had been examined

examined previous to my coming who deposed to a great deal, if not all, the experience that I had had of the riots.

771. Except the interesting incident as to moving the resolution?—All I can say is that I did not hide it.

772. I have no doubt?—If there is any responsibility attached to it, I accept the responsibility of having proposed it.

773. If you had been examined, we would not have to read from the Report of the Commission that they had not been able to ascertain who moved that resolution?—I hope you will see it was not my fault. I was there, and tendered myself as a witness.

774. You have just said that strange magistrates adjudicated during the riots. Are not you aware that throughout the riots Mr. Vickers, Mr. McCarthy, and Colonel Forbes, local magistrates, did adjudicate?—They did, but not always for this reason, that they were very frequently employed in the streets at night, and it was impossible for men physically to carry out both duties.

775. Have you heard such a thing as alterations on the bench between resident magistrates and local justices differing?—I have read of them, but I have had no experience of them. I have not merely my experience of Belfast; I had some experience of Cork City, and of a great many other places.

776. Do you know that Mr. Ross, a local magistrate, testified before the Commission that, on leaving a meeting of the executive council, Mr. John Browne, a magistrate of the borough, said they would have to turn this old fellow, Colonel Forbes, out of the town, he had given them so much trouble?—I am sure I do not know that he did; I do not remember hearing it, even.

777. Are you in favour of the watch committee?—Well, I knew very little about it except after reading the Bill last night, when I came over. And I would not be in favour of it as proposed in the copy of the Bill that I saw. I believe that that copy has been since amended, but in the copy of the Bill that I saw it was proposed that there should be, as well as I remember, 11 members.

778. Twelve now?—Well, I do not know that that removes the objection to my mind, for this reason. I look on it that at least six of those members would be Protestants. They would, therefore, have the preponderating influence, as under the first arrangement of the Bill, over the others, named by the Lord Lieutenant, as matters stand at present. I do not know who the twelfth is proposed to be.

779. The officer commanding the town of Belfast, or military?—That would bring matters to a dead lock, perhaps six to six.

780. I suppose you know that of the 31 houses wrecked during the riots, that is to say, the matter which would form the subject of compensation, 29 were houses of Catholics?—I know a great many of them were. I saw a great many of them myself wrecked.

781. So that the practical effect of the proposition would be to send applicants of one creed before a tribunal composed of a majority of persons of another creed?—I do not know that it is intended that applications for malicious injury should be considered by the watch committee.

782. It is so intended by the Bill; there is a clause tendered by the Corporation; but that also is a Protestant body, is it not?—I believe so.

783. I would like to ask you, with your experience of Belfast, would you be willing to take the post of Commissioner of Police in that town, and the responsibility attached to it, whilst a body of 11 or 12 gentlemen (the majority of them, or more than half of them, being local Protestants), had the power to prohibit or not to prohibit processions, leave public-houses open, and administering the other powers contained in the clauses of the Bill?—I would not; I can only repeat what I have said, and express the confidence I had in the magistrates in police cases. I would not, of my own accord, act with a committee constituted as you say.

784. You would consider that you would be placed in a position of responsibility without the needful power?—I would be greatly afraid of it.

785. Mr. Pictou] The addition of the twelfth member would not remove
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your objections to the watch committee?—No, it would not. I think it lessens perhaps my objection, but it does not do away with it entirely.

786. It lessens it because the parties would be equal?—The parties, I hold, might be exactly equal and, therefore, there might be a dead lock.

787. Perhaps you do not approve of the first clause excluding the local justices from their present powers; you would have them still attend the magistrates' court under the presidency of a resident magistrate?—Yes, a resident magistrate or a paid magistrate.

788. I think you gave the preference to a resident magistrate?—Yes; I say the magistrate should be selected from the general body. We have many barristers on our list.

789. Then the local magistrate would be practically reduced to mere cyphers, would they not?—I do not understand you. I think the resident magistrate should act as chairman. That is merely for the conduct of the business, but the magistrates attending should have the same voice.

790. Then of course they would over-rule him now and then?—That is quite possible. Even the chairman of a county court is sometimes over-ruled by the county magistrates who attend.

791. Looking at the fact recognised in the Report of the Commission and elsewhere, that party feeling runs very high in Belfast, is it not unlikely that local magistrates who are thoroughly habituated to the surroundings of one party or other can be recognized as impartial?—I do not say that they are looked upon by one party as impartial, but I believe, from my own experience, that they would act fairly and uprightly as magistrates.

792. But if they are not looked upon as impartial, does not it impair the tribunal?—I would not say that.

793. Sir James Corry.] You say you were not examined before the Riots Commission?—No.

794. You yourself are not aware of any reason why you were not examined?—No, certainly not. I attended as I was ordered, but I was not there as early as I might have been as I had not received my summons in proper time; I was engaged on other duty.

795. If you had been examined you would have had no hesitation in giving evidence of your having moved that resolution at the meeting of magistrates?—Certainly not.

796. So it was no fault of yours that it was not known?—Most unquestionably not.

Mr. Sexton.] I admit that altogether.

797. Sir James Corry.] I think you stated that none of the local magistrates were present at that meeting?—None.

798. And that the resident magistrates who were sent into Belfast at that time held their meetings in one of the constabulary barracks?—Yes.

799. Who was president generally of those meetings?—Either the senior magistrate, which was Mr. McLeod on some occasions, but generally General Montgomery Moore. On that occasion he was present; he put the resolution, and he concurred most fully in it.

800. Then I understand from you that you were no party in the first instance to the removal of the police from the Shankhill-road District?—Certainly not, I had nothing to say to that.

801. And it was only your knowledge of Belfast that influenced you?—It arose from what I saw myself on two or three previous days.

802. And from your knowledge of the small detachments of police, and how they were assaulted, you came to that resolution that it would be better that it should be only with the military and not with single bodies?—Yes; or in such larger bodies as would render any opposition futile.

803. You have told the Committee you were prepared even after that resolution had been carried to have gone there yourself with 200 men?—I proposed to do it on the following day to test the matter.

804. You have been a magistrate in other parts of Ireland as well as in the north

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north of Ireland, have you not?—I was resident magistrate of Cork City for some time; I was also stationed in Limerick City; I have been a magistrate for most of the counties of Ireland.

805. Then, do the local magistrates there sit with the resident magistrates?—In Cork City they did according to the same system as in Belfast; that is to say, there was a roster for daily attendance. It did not sometimes prevent men who were not named coming; but, as a rule, they only came in their turn.

806. Have you ever heard any complaints of the decisions of magistrates in Cork as well as in Belfast?—I have, indeed; I have heard very frequently complaints everywhere where I have been.

807. You do not think Belfast is any worse in that respect than Cork?—I can only speak from my own experience, and I have no hesitation in saying that the Belfast magistrates are not inferior to those I have had experience of elsewhere.

808. Neither borough nor county magistrates?—Both.

809. So that, so far as your opinion goes, there is no necessity whatever for taking away the jurisdiction from the borough magistrates in Belfast?—I do not see it myself.

810. With reference to the duty of the police upon the Shankhill-road district, you only referred to beat duty?—That was all; only the beat duty; I should also say, and to small parties that were placed at some obnoxious houses—public-houses. When I say the Shankhill-road, I mean the roads adjoining in the adjoining streets.

811. Did you exercise your duties as a magistrate in any other part of Belfast than on the Shankhill-road?—I did in York-street for the first two days I was there. I have frequently exercised the duties as magistrate in every part of Belfast in disturbed districts at various times.

812. You were present at the riots of 1872, I think?—I was.

813. You were only sent there as a resident magistrate?—That was all. I did not act judicially in any way at that time.

814. You have been asked with reference to the opinion expressed by Colonel Forbes at the Commission with reference to the borough magistrates; did you find anything of that kind when you sat on the bench?—I did not, or else I would not have expressed the opinion I have. I only speak of my own experience. I never had any difficulty whatever in dealing with them.

815. And your experience does not correspond with that of Colonel Forbes in that respect?—It does not.

816. Colonel Forbes said that the sitting of the borough magistrates with the resident magistrates made the punishments unequal; have you ever found that to be the case in your experience?—Practically I have found that the magistrates who sat with me very much took my view of what the punishment should be. In a matter of mere money penalties; perhaps, sometimes, a reduction of my views would be suggested, and in some cases an increase.

817. But, as a rule, you did not find the borough magistrates desirous of mitigating the punishment where you thought that it should be greater than it was?—No, I did not, most certainly.

818. Mr. Lawson.] Are you speaking now of times of political excitement, or of normal times?—I will say more of normal times; not of any such occasions as the riots of last year. I did not sit with them then.

819. Sir James Corry.] You did not sit on the bench during the last riots, did you?—No, I did not.

820. The honourable Member for West Belfast says a complaint had been made against you by some Catholic clergymen. Is this the first that you have heard about that?—No; I mentioned that I saw something in the papers about it.

821. But, officially, you never heard anything of it?—Never. I attached really very little importance to it. I mentioned the matter, as I have said, to the Rev. Dr. Green, and he expressed annoyance at it.

822. But you said distinctly that there was no grounds for any complaint so far as you were officially concerned?—I say so.

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[Continued.]

823. You have read the Bill with reference to the constitution of this watch committee?—I have.

824. You do not think the proposal there is one that is desirable?—I do not think it would be a wise one.

825. Do you think any watch committee could be constituted in Belfast that would give satisfaction to all the inhabitants?—I think a committee composed as Lord Sandhurst, after the riots of 1872 recommended, with some slight modification, would be a better and wiser one for the purpose; that is, an executive committee composed of the General commanding the district; the senior local police officer (the Commissioner of Police, as he is proposed to be called), and the Mayor, and the two resident magistrates; that is a committee of five.

826. But that would be a committee, except the Mayor, entirely of official men?—Yes, I admit it would. I look at it from perhaps too official a point of view.

827. I presume you look more favourably upon the official element than you do upon the lay element in that respect?—Well, it may be so.

828. Considering the population of Belfast, and the different creeds in Belfast, do you think that the proportion of local magistrates is out of proportion to the business?—I cannot say what the proportions are at present, but when I was in Belfast four years ago, I knew that there were several Catholic magistrates who were very regular attendants.

829. You are one of the magistrates, I understand, that have been selected to carry out the jurisdiction of the Crimes Act?—I am.

830. Mr. *Whitely*.] I think, I understand you to say that as the watch committee is proposed to be constituted in the Bill, you do not think it would work so well as a committee such as you have described of the resident magistrate, and two of the borough magistrates who may be on the rota, but you tie it to the rota to prevent the possibility of the bench being crowded on any day when there might be an exceptional case, and therefore you attach very great importance to restricting it to the magistrates who may be on the rota on roster?—I think it would be desirable as a master of practice that only the magistrates on the rota should attend.

831. Then I understand you to say that you prefer a watch committee constituted in that way rather than as proposed by the Bill, which would be an elective body practically every twelve months?—I was speaking of the Court; you are now speaking of the watch committee. That I look upon as a different matter entirely.

832. How would you propose to constitute the watch committee?—I would propose to substitute for the watch committee; a committee composed as I have said, of the Mayor, the General Commanding the district, or the senior officer, and the two resident magistrates, and the Commissioner of Police. That is a committee of five.

833. Mr. *Campbell*.] You are of opinion that such a committee would be desirable, if not necessary?—Well, I am; otherwise you would saddle with very great responsibility the Town Commissioner, I mean with the suppression of riots, and the preventing of assemblages of persons on anniversary occasions, and so forth.

834. The Commissioner of Police could not do that?—I would not say that he could not do it. I am quite sure he would accept the responsibility if it were placed on his shoulders. But I think he should not be saddled with so grave a responsibility as that of prohibiting processions.

835. *Chairman*.] You object to the watch committee as proposed by the Bill, on the ground that there are too many what you call local Protestants?—That is plainly my objection to it.

836. Do you, or do you not, find that the objection prevails as to the magistrates who attend the borough court?—No, I do not.

837. They were always equally divided, were they?—Yes. When I speak of the executive committee, I mean men who are going to deal with very serious matters,

matters, such as the suppression of riots, serious disturbances, and so forth.

838. Sir James Corry.] To proclaim processions?—Yes.

839. Chairman.] Then you think they would not command the confidence of the people, because there would be too many Protestants?—I believe, as a matter of fact, they would be exclusively Protestants. That is the opinion I have formed.

840. Then you wish the Committee to understand that during the riots the local borough courts did command the entire confidence of the people in spite of the magistrate or magistrates being Protestants in that case?—As I have said, there are many Catholic magistrates, and they did regularly attend in their turn. In the case of the watch committee, constituted as it is proposed to be, you would have no Catholics whatever.

841. Sir James Corry.] The Lord Lieutenant could appoint them out of his four, could he not?—Yes.

842. Chairman.] You maintain that the borough court commands the confidence of the people. I am not asking you whether they did their duty, but I ask whether the borough courts commanded the confidence of the people, and whether the people have confidence in their impartiality?—I am not prepared to say that.

843. Do you think, in your experience of Belfast, that there was never an idea that certain magistrates were popular magistrates who would deal with certain cases in a particular way?—I am quite certain there were such ideas, and I am quite certain, however the bench is constituted in Belfast, that there will be ideas of the sort so long as sectarian feeling runs as high as it does.

844. Why do you think that that objection should be allowed to hold good in the case of the watch committee, and should not hold good in the case of the bench of borough magistrates?—I think on the watch committee, as constituted present, the Catholic element would not be represented as it is on the bench.

845. What proportion would there be of Roman Catholics to Protestants on the bench; would there be one-third?—I do not know. There was very seldom a day when out of perhaps three magistrates there was not at least one Catholic, as well as I remember, in Belfast.

846. About one-third; that is what would probably be on the watch committee?—I do not know.

847. Do you think the men who sit on the bench are a higher class of men, and men who are more likely to command the confidence of the people than the men who would be selected for the watch committee, including the *ex officio* members?—I am not prepared to say that.

848. Mr. Sexton.] I suppose you know that the proportion of Catholics on the local bench is one-sixth only?—Indeed I cannot say what it is at present.

849. Mr. Lawson.] May I ask one question in elucidation of an answer of your own: You say there were certain houses under police protection in the Shankill district, that the police patrols were withdrawn from those houses, and that they were absolutely abandoned to the mob?—Oh, no, they were not.

850. Were they still under protection?—There were military detachments placed in a great many cases in charge of those houses, with a few police.

851. But the police were withdrawn on your motion?—They were from the streets.

852. Mr. Sexton.] You recommend now the same committee that was recommended yesterday by the Assistant Inspector General?—That was my idea before it was recommended.

853. Would you put the two resident magistrates on it?—I would.

854. Do not you think it very objectionable that those two magistrates, as members of the watch committee, should prohibit processions, close public-houses, forbid arches and bonfires, and then upon the bench have to deal with the punishment of people for disobeying their own proclamations?—They would

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have nothing to say in the streets to the executive part of the work; they would be obliged to carry out the judicial part of it afterwards. I do not see that that should influence a man unfairly, even though he might have participated in the proclamation; he would deal with it as a matter of evidence.

Mr. JAMES H. HASLETT, re-called.

Further Examined by Mr. McCConnell.

855. The Committee have already heard your experience in Belfast, with regard to the clause in the proposed Act as to the borough magistrates; are you of opinion that two resident magistrates of the existing magistracy would meet any requirements of Belfast?—Past experience would lead me to that conclusion; first-class magistrates of the existing bench.

856. In Belfast, as you have already told us, there are two courts?—There are two; one popularly known as the summons court, and the other is the custody court.

857. And there is a rota for the attendance of the lay magistracy there, is there not?—There is.

858. How is that rota arranged?—The Mayor occasionally calls together the magistrates, and ascertains what would be the most convenient day in connection with their business for them to attend the courts, and he requests them to attend with as much regularity as possible upon those days.

859. They fix the day of the week?—They fix the day of the week.

860. Have you looked at the records for the past three years with reference to the attendance of the magistrates?—I have.

861. And have you had them transcribed?—I have.

862. Will you place them before the Committee?—Yes, for the years 1885 and 1886, and six months of 1887.

863. Are there between 70 and 80 magistrates on the list?—I believe so; the living men, I believe, are about 66 or 68; somewhere under 70.

864. Out of the 70 there are a great number who do not from age or removal attend?—Very many of them are very old.

865. Is that a transcript or table of the proceedings?—Yes (*handing in the same*); I believe this is copied from the official tables.

866. Out of the number of magistrates that you have mentioned, how many are there in each year who attend?—There are about 24 to 28 who attend.

867. And that document shows the attendances of each magistrate?—Yes, there were 67 in one case in 1885; 55 is the highest number in 1886, and 51 in 1887.

868. Going down to one attendance?—Going down to one attendance.

869. Speaking generally, have the magistrates attended more frequently than they were on the rota for?—I am not aware of that unless they are sent for.

870. How do they come occasionally to be sent for?—Personally I have never attended the court except upon the day upon which I was on the rota unless sent for by the clerk; where two magistrates were required, and probably there was only one, or occasionally, a resident magistrate not having jurisdiction, or in the absence of a resident magistrate, where they required two local magistrates.

871. That was in substitution of others who did not attend?—Yes.

872. In your opinion how have the magistrates discharged their duties?—So far as I have ever seen they have discharged them faithfully and well, and with general acceptance to the public; the party who gets the sentence is scarcely ever satisfied.

873. So far as you know they have discharged their duties independently without fear or favour?—They have.

874. In your opinion would it be an advantage to the borough of Belfast if the judicial functions of the magistrates were abolished?—I do not think it would.

would. I think many cases arise of a commercial character where it is very desirable to have the advantage of commercial men on the bench apart from mere criminal cases.

875. Do the magistrates themselves feel that the proposal is personally disagreeable?—The magistrates do universally, I think. I thought it my duty to call a meeting of the magistrates when this Bill was proposed, and they passed a resolution with only dissentient.

876. Is that the resolution (*handing a paper to the Witness*)?—It is.

877. The meeting after commenting and criticising the clauses of the proposed Bill, came to the following resolution: "That in making the foregoing suggestions on the Bill, which must be regarded as the outcome of the Riots Commission, the magistrates of Belfast avail themselves of this opportunity to disapprove in the strongest terms possible the manner in which that Commission was conducted. They repudiate with scorn and indignation the insinuations made against them by several witnesses, feeling certain that a vast majority of the inhabitants of the town heartily approved of the unbiassed manner in which they have exercised their judicial functions on the bench, and discharged their duties elsewhere." That is the resolution?—Yes.

878. Mr. Lawson.] Who was the one dissentient?—Dr. Dempsey.

879. Mr. McConnell.] He gave evidence before the Commission, did he not?—Yes, he did. I should say that Dr. Dempsey's dissent was as to the nature, and, in fact, the appointment altogether of a watch committee.

880. Appeals from the bench of magistrates, sitting in petty sessions, are to the recorder in some cases, and to the assizes in others?—They are.

881. From the magistrates to the recorder himself, or to the recorder with a jury?—The recorder himself.

882. Have you prepared a statement of the number of appeals that have been made?—Yes, from the year 1884 to the present time; during 1884, 1885, 1886, and part of 1887 to the first of June last. I should mention that in the summons court there are on Wednesday and Thursday about an average of 140 cases per day. In the custody court the average number is from 60 to 70 per day. During the years 1884 to 1887 there were 102 appeals; two were not proceeded with, 47 were affirmed, 21 were reversed, 28 varied, 3 were withdrawn, and one adjourned.

883. The summary appears at the end of the list which you have prepared?—Yes.

884. The resident magistrates are paid by the Treasury, are they not?—I do not know where the money is obtained from, but it does not come out of the town; it is paid annually by Parliamentary Vote.

885. The borough of Belfast has power, has it not, under an Act of Parliament, to ask for a stipendiary magistrate if it should so desire?—It has that power under the Municipal Corporations, Act 3 & 4 Vict. c. 108.

886. And it has not done so?—It has not.

887. In your opinion, would two resident magistrates, appointed and paid as they are now, be sufficient to assist the existing bench of magistrates, and to discharge the judicial and official duties of the town?—I think so.

888. Is there anything on the question with regard to the magistrates which you desire to inform the Committee upon beyond what I have asked you?—No, I do not know that there is anything on the question of magistrates; so far as I can judge, the business of the court has gone on satisfactorily, and I have not heard of any chafing this year, though there is a difference of opinion regarding certain magistrates, and that difference will exist regarding any magistrates that may be appointed. The advantage that I see from appointment of the old magistrates, such as one of our resident, or paid magistrates, is, that if he be unsatisfactory to both parties, or to either party, he can be transferred to another district, and utilized, whereas there would be no such power under the present Bill.

889. With regard to the watch committee as proposed to be constituted by the Bill, what have you to say?—It is a very difficult question. Personally I

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am rather in favour of a system such as is adopted in the watch committee; the difficulty is to get a committee that would give satisfaction to all parties. But some difficulty exists at present because the duties of this committee are practically rolled into the duties of the mayor. I do not see any duty that is connected with this committee that does not at present devolve upon the mayor.

890. *Chairman.*] You mean the mayor and the town council, do you not?—No, I mean the mayor. Suppose you want to close public-houses when the town is in a state of riot, the present licensing law will enable the mayor, with another magistrate, to give orders that they shall be closed, serving that notice upon them. Again, if a political procession, or otherwise, is likely to lead to a breach of the peace, sworn information is made upon it, and the mayor will proclaim that meeting, or otherwise, according to his judgment, just as this committee would; and the committee would be a great advantage in assisting in governing that portion of the town, and I would expect that whatever the constitution of the committee may be it would have but one aim, namely, the benefit of the town.

891. *Mr. Sexton.*] But have you read Clause 4 in connection with Clause 10?—Yes.

892. Does not that establish a new state of things by establishing penalties?—It does. I raised the question that it would be some injustice, as the Bill was originally framed not to provide a money penalty; of course it is quite in the hands of the Committee to say what penalty should exist.

893. *Chairman.*] But the Government has put in a fine not exceeding 20 *l.*, and that is what is recommended by your magistrates?—Yes.

894. *Mr. McCowell.*] Are you in favour of the appointment of a watch committee of some sort?—I am.

895. As it stands in the Bill, have you any objection to it?—I really cannot see any objection. I quite admit that it may be urged against it that it might be one-sided as to party, but I do not see how you can provide for it, unless you insert in the Bill a distinct clause to the effect that a certain number of the watch committee are to be of a particular denomination.

896. One may gather that in Belfast the decision of Protestants are not satisfactory to Roman Catholics, or the decisions of Roman Catholics to Protestants?—I am not very sure that if Roman Catholics were to be tried they would not be very ready to be tried before a bench of Protestants, or vice versa. I have never heard that parties tried like a bench constituted of people of particular religions.

897. Are you familiar with the last English Municipal Corporations Act, 1882; by Section 190 it provides that: "The council" (that is, the municipal council) "shall from time to time appoint, for such time as they think fit, a sufficient number not exceeding one-third of their own body who, with the mayor, shall be the watch committee." If that were applied to Belfast, would it be satisfactory?—It might be satisfactory to the council, but I see a difficulty in having the watch committee practically the governing body, capable of making certain laws, and yet it would be selected from a body that is presumably representative of only one denomination. I can understand that that objection may be taken to it. You have asked me only as to the composition of the watch committee; on Clause 5 I hold a very strong opinion.

898. I am just coming to that; with regard to the sub-section as to compensation there has been an amendment proposed to that; that is an amendment going back to the corporation as to all injury to property; is that satisfactory to you so far as it goes?—With regard to injury to property, the corporation being business men are capable of dealing with it; and I do not see why they should not be as capable of dealing with the other. The idea of saying that a man cannot deal with claims for personal injury, while he can deal with claims for injury to property, is somewhat anomalous.

899. You think the whole question of compensation, both to property and persons, might well be referred to the corporation?—Yes.

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900. The corporation has exercised it for years past?—Yes, it has.

901. And with what result as to appeals?—There have been very few appeals.

902. Have you tabulated some of them?—I think I have; out of 3,000 odd cases there have been only 13 or 14 appeals.

903. The appeal is to a judge of assize?—Yes.

904. And there have been only 13 or 14 appeals, and they were not all successful?—They were not.

905. With regard to the clause submitted as to personal injury, will you please look at Clause 5 which provides that: "Where it shall appear that after the passing of this Act any person has been killed or maimed or injured in his person, or that any property has been injured, stolen, or destroyed, by any persons riotously and tumultuously assembled together in the borough of Belfast, such compensation as the watch committee think just shall be made to the personal representative." Do you think that a satisfactory clause?—I think it is giving a wide scope for compensation in Belfast that does not exist in any other part of the kingdom.

906. Are you aware of any like clause existing in any Act of Parliament as to compensation for personal injury to be awarded for injury done by persons riotously and tumultuously assembled?—Not a co-extensive clause; in the Grand Jury Acts it is so.

907. That is with regard to witnesses, magistrates, and police constables?—Yes.

908. But there is no general clause?—No.

909. Would that clause in the case of a strike in Belfast in which three or four, or more persons injured a man repugnant to them, render the ratepayers of Belfast liable to pay compensation for a broken head or arm for the man so injured?—I believe it would if the contention was right that three men make a riot; if they assemble for one certain purpose, then you may have any number of riots and any amount of compensation.

910. Should that clause be limited, you do not object to personal injury being paid for by compensation if caused in a fight of that kind?—We could not object: in fact, it has always been held by the council that in our local Act of 1865, giving the town council and the grand jury power, it was an omission not taking power to compensate for personal injury upon the same lines as the grand jury law.

911. That is the 6th and 7th of William 4, cap. 116, section 106: "And be it enacted, that if it shall appear that any person having given information or evidence against any person or persons charged with any offence against the public peace shall have been murdered or maimed previous to the trial of the person or persons accused by such information or evidence, or of any of them, or on account of any such evidence given, or that any magistrate or other peace officer shall be murdered or maimed on account of his exertions as such magistrate or peace officer to bring disturbers of the public peace to justice, it shall and may be lawful to and for the grand jury of the county within which such murder or maiming shall have been committed respectively, to present such sum or sums of money as they shall think just and reasonable." Do you not think that there should be some limit. Without alteration, this section would make it that any three men riotously attacking an hotel, the ratepayers would be liable for injury to it?—It should be limited to the same lines; if you alter the grand jury laws, and make it universal for the country, we cannot object.

912. *Chairman.*] You mean that it should be limited to peace officers and witnesses?—Yes, and those only in connection with certain duties.

913. *Mr. McConnell.*] The result would be that the ratepayers in Belfast would have to pay for broken heads where three persons or more were engaged in breaking them?—They might be brought into court, and would have to pay. I suppose.

914. In the case of riotous assemblies arising out of strikes, the result would be the same?—Yes.

915. That is an instance?—Yes.

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916. There has been an amendment suggested in Clause 9 which is required?—Yes.

917. Under Clause 7 it is provided that, "No compensation shall be awarded by the Corporation for any malicious injury to property occurring after the passing of this Act for which compensation might be awarded by the watch committee." This is not required now?—It is not; but I understand that they give in their amendment a common right of appeal, no matter whether asked for or not.

918. You approve of it?—I do.

919. As to the legal expenses of the watch committee, something was said about them; what legal expenses are there likely to be which the Corporation ought to pay?—I do not think that they should be called upon to pay any legal expenses other than the clerkships, unless they are to appear by counsel.

920. In case of appeal you mean?—Yes.

921. Is it clear, or not, to your mind, as to what the legal expenses are?—It may cover anything, from the Act of Parliament down.

922. Does it want some definition?—There should be a statement of what the legal expenses would be; they are entitled by the Act to have their clerk, and rooms, and stationery, &c., and the legal expenses should be confined in such cases of appeal to counsel appearing.

923. Something limiting or defining?—Yes.

924. With regard to Clause 10, an amendment is proposed making it without hard labour or a fine; that amendment you approve of?—Yes, I do.

925. In your opinion, would two magistrates continuously sitting be able to do the work of the borough without the assistance of lay magistrates?—You would have to appoint some deputies. If you have two courts there are cases where even one resident magistrate has not jurisdiction. A very considerable number of our cases are industrial school cases, and such cases as those where you require two magistrates.

926. Mr. Sartou.] One question with regard to the last paragraph on the first page of the Bill: "Any police magistrate appointed to act in the borough of Belfast shall have full power to do alone anything which is authorised by any statute passed or to be passed, to be done by any one or more justices of the peace;" what is your opinion with regard to that?—I do not apprehend that this may affect it, because under certain Acts a resident magistrate has the power of two justices of the peace. There is a similar clause to this, yet a resident magistrate could not send a lunatic to an asylum. It requires absolutely two magistrates, and I take it that this would not supersede that; it is a matter purely of law.

927. Will you read the words yourself?—I read the words, "Any police magistrate appointed to act in the borough of Belfast shall have full power to do alone anything which is authorised by any statute passed or to be passed, to be done by any one or more justices of the peace." That refers to ordinary justices of the peace, and not to resident magistrates; the same words are in existence in the ordinary Acts, yet a police magistrate, notwithstanding that he is in the commission, cannot send a lunatic to an asylum without the assistance of two justices; it is a nice question of law.

928. Mr. McConnell.] Have you seen the draft of a new clause that is to follow Clause 7?—I have not.

Chairman.] Are you referring to the Government clause?

929. Mr. McConnell.] "Where it shall appear that after the passing of this Act any property has been injured, stolen, or destroyed by any persons riotously and tumultuously assembled together in the Borough of Belfast, the town council may award compensation to the persons who have sustained loss from such injury, stealing, or destruction, and the enactments contained in the 35th and subsequent sections of the Belfast Borough Act, 1865, as amended by any other Act relative to the granting of compensation, shall apply for the purposes of this section. The powers conferred by this section shall be in addition to, and not in derogation from any other powers in the town council;"

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do you approve of that clause?—The clause may be fair enough in itself, but if you ask me offhand, I think it would require to be very carefully guarded by other clauses.

930. Assuming that clause to be adopted, do you think it right that there should be incorporated in the Act clauses at any rate equivalent to what appear in the Act for Compensation for Losses by Riots in England which was passed last Session?—Yes, I know the Act.

931. This clause limits and directs how it is to be carried out?—Giving full power immediately.

Chairman.] That is in our Bill.

932. Mr. *McConnell.*] I want it to apply to this Bill?—You have referred the machinery of this Bill again to the council.

Mr. *McConnell.*] Under Sub-section 2 of Section 3 of the Riot (Damages) Act, 1886, it is provided that "a Secretary of State may from time to time make" (for the Secretary of State I should substitute some other functionary), "and when made, revoke and vary regulations respecting the time, manner, and conditions within, in, and under which claims for compensation under this Act are to be made, and all claims not made in accordance with such regulations may be excluded. Such regulations may also provide for the particulars to be stated in any claim, and for the verification of any claim, and of any facts incidental thereto, by statutory declarations, production of books, vouchers, and documents, entry of premises, and otherwise, and may also provide for any matter which under this Act can be prescribed, and for the police authority obtaining information and assistance for determining the said claims." The corporation have no power at present to ask for particulars; they have no power to enter premises, and no power to insist upon these matters which they say are material to the investigation and to the arriving at the true result of these cases.

933. Mr. *Sutton.*] I believe it is unfortunately the fact that the riots and consequent damage to property and loss of life in Belfast have depended a good deal upon differences of creed?—A good deal.

934. How many Catholics are there in Belfast?—I think about 61,000 or 62,000.

935. That is between one-fourth and one-third of the population?—I think that it is about one-fourth.

936. For these 60,000 persons is there any representative upon the town council of their creed?—No, I am not aware that the town council has anything to do with creed.

937. I do not ask that?—I believe creed is not represented.

938. Is it correct to say that out of the 90 officers of the town council five are Catholics, and out of the expenditure of 14,000 *l.* a year in salaries you give 400 *l.* a year to Catholics?—I cannot say personally; I never ask the religion of men going into the town council.

939. You are aware that personal creed is a paramount source of the political differences of Belfast?—Yes, we hold our opinions very strongly there.

940. I should direct your attention to the memorial of the Catholic inhabitants of Belfast, dated the 20th of July last year, presented to his Excellency the Earl of Aberdeen. You will concede that the opinions of the Catholic body are matters of importance for the consideration of this Committee of the House of Commons?—Clearly.

941. The third of their reasons for the continuance of the riots was this; "Withdrawal of the police while a riot was going on by the advice of partizan borough magistrates;" do you wish to make any observations upon that?—Except that it is not the fact. I can testify to that here.

942. The police were withdrawn?—Police were withdrawn, I believe. I can only speak from representation. I was not in Belfast at the time, so that it might be as well if you did not ask my personal knowledge. If you refer to

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the first riots at the time of the unfortunate shooting of people at Bower's Hill, I was not in Belfast.

943. I shall not press you upon anything that you are not personally aware of?—I was not present at the transaction.

944. Another reason assigned by the Catholic body for the continuance of the riots was this: "A well-grounded conviction on the part of the Orangemen that law breakers on their side would have comparative immunity from punishment when brought before the local justices;" do you wish to make any observation upon that?—Except that it is utterly fallacious. Men may have an opinion, but I am not accountable for it. I am accountable for the acts upon which a man should ground his opinion.

945. Your contention is that the Reverend John Tohill, of St. Malachy's College, and Dr O'Connell are entirely in error?—I do not know anything about the gentlemen. Their evidence was probably made up of articles that they got from papers and otherwise.

946. Upon this point what do you call the evidence of Colonel Forbes, that the Catholic body think a certain class of persons in Belfast when they break the law expect to get off lightly on going before the local justices. Colonel Forbes said that if there is a party case to be heard, the borough magistrates do attend. How do you account for the curious difference of opinion between the Catholic body and the resident magistrates?—They represent different interests.

947. The Catholic body do not pay the resident magistrate?—No; but he may cater for popular opinion.

948. Is he not a Protestant?—I know he is nominally a Protestant.

949. Mr. Lawson.] What do you mean by catering?—It is just as open for resident magistrates to cater for popular opinion as any other magistrate.

950. Mr. Serton.] How do you account for Colonel Forbes' declaration that he had been much hampered by the local justices?—I have been hampered myself.

951. How have you been hampered?—By their differing as to any decision and interpreting the law, that is what is meant by a well-grounded conviction that they would have comparative immunity when brought before the Catholic judges.

952. Has it often occurred?—Now and again.

953. Another reason alleged by the Catholic body for the continuance of the riots is, "The hampering of the action of police officers at critical times by borough magistrates." What have you to say upon that?—I am not aware of it. I have myself hampered resident magistrates, if you call hampering men, stopping them from firing upon a crowd; I have done that.

954. The borough justices protest against their exclusion from the bench?—Against the alteration of their present position.

955. You said a little while ago that no one likes a sentence passed upon himself; that applies to the justices as well as to other people?—Yes; they are only human beings as well as anybody else.

956. Upon this roster of local magistrates there are about 10 appointed for each day, and out of that number there are not more than three Catholics;—I think it is seven or eight. I cannot say what the numbers are exactly, but it is so far as possible amongst those who declare their power to attend, and it is distributed to suit their convenience, and it has worked satisfactorily.

957. Do you consider, really, that the 120 or 124 justices in Belfast, where the Protestant or the Catholic creed feeling is so strong, and political passion rises so high, can detach themselves from the influence arising from the party to which they belong?—If you say absolutely, I suppose none of us could do so, no more than a judge of assize, and no more than a chairman of quarter sessions. I daresay we are all subject to the influence of our feelings now and again; but if you ask my personal feelings, that is the only thing I can deal with. I cannot enter another man's breast; I have never sought to waver, nor have I consciously wavered to one side or to the other because of the creed of the party; on the contrary, where it was attempted to introduce some novelties in connection

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tion with our Bench I resisted them; that is the knowledge of what a man's previous character had been before you arrive at a decision of his guilt, or otherwise. I claim that a man should come before the magistrates with a clean sheet, so far as that is concerned, till you arrive at his guilt, then that knowledge is only to be used to measure the punishment.

958. Have you ever been asked in your capacity of magistrate to attend the court because a particular case was coming on?—I have. I do not know whether you wish to pursue it further?

959. No?—I think you had better pursue it.

960. Allow me to conduct the examination in my own way?—I have been asked by those utterly opposed to me in religion and politics.

961. Never by those upon your own side?—Never.

962. Is not it the system in Belfast to ask a magistrate to come to the court when a prisoner of his own party is to be tried for a political offence?—It is not; and it is not the principle.

963. How do you know that it does not happen?—You asked me if it is the principle; if it was the principle it would apply to me.

964. Is it usual?—If it was the principle it would apply to me just as well as to others.

965. It is the same thing, "principle" or "usual"?—No, there is a difference between them.

966. What is usual is a principle in practice?—It is.

967. Mr. Lawson.] Is it usual?—It is not.

968. Mr. Serton.] Since the Riots Commission, have the Catholic justices given up attending the bench with one or two exceptions?—I know it, as a matter of fact, from the statistics; but I am not speaking from personal knowledge before I had a seat myself as mayor; I did not consider it necessary to go there; I hold very strong opinions upon the subject of attendance.

969. But your bench is practically Protestant in Belfast?—It is not so.

970. Have not you said that the Catholic magistrates ceased to attend?—There are a few that are attending; upon Friday there are one or two Catholic magistrates who attend, and upon Wednesday, the day that I go down, there are always one or two.

971. Can you say that more than three have ever attended since the Riots Commission?—I cannot.

972. I wish to call attention to one or two passages in the Report of the Commission. They say at page 18: "Any one who has perused our narrative of the riots will see that in a town like Belfast nothing is so important as that the control of the force should be in the hands of a single individual entrusted with full powers, occupying an unquestioned position of command and responsible for the peace of the town." Do you agree with that?—I do.

973. Do you advocate the attendance of the watch committee?—I do.

974. Do you agree with the powers of Clause 4. If you just read them over you will see the effect of them?—"The watch committee may from time to time by order in writing, of which public notice shall be given and published, prohibit any public procession or other meeting in the borough which they have reason to believe to be dangerous to the public peace."

975. I mean all the powers in that clause?—I take it that the police officers will be the administrators of it; those will be the parties making the laws to be administered.

976. Do you call to mind the resolutions submitted by the Corporation, of which you were the head, to the Royal Commission?—I was not the head.

977. Not at that time?—No.

978. You are always a very influential member of it, and next to you the Town Clerk is the most influential?—I do my work as best I can.

979. One of the resolutions was that the police force should be "directly under the control of the chief of the police, who should be primarily responsible for the peace of the town;" do you still adhere to that?—I do.

980. Do you say that the Commissioners of Police would be primarily responsible for the peace of the town while there is in existence a committee of gentlemen

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denmen who may or may not at their discretion prohibit political processions, and close or open public-houses, and allow bonfires, the erection of arches and playing of music in the streets?—Yes.

981. Will not the primary responsibility lie with those who have the preventative power?—You assume that in their judgment the closing of public-houses would be a preventive; it may not be at all.

982. I ask whether the primary responsibility for the preservation of the peace lies with the body of gentlemen having the preventative power?—You assume that the powers that they can exercise are capable of preventing rioting; they may not be.

983. They are intended to prevent it?—They are intended to minimise, or altogether to prevent it, but he might find that he was in error in that; he might in his judgment individually close public-houses, when he would practically create a riot by his own act. It is for the general peace, and is not a question of politics, and never was a question of a particular form of faith; but for the general preservation of the peace it is desirable that Parliament itself should grapple with the entire question of processions, or that a body outside the immediate administrators should grapple with it; therefore, the next best thing to Parliament having the law is to give power to a body outside the Commissioners to make that law; but it would be a very unfortunate thing for him to be both maker of the law and executioner of it.

984. He would not be the maker of the law, but the administrator of it?—No, he would be the closer of the public-house by practically making the law ordering it.

985. The law is made here, and he administers it?—No; the law says he may do so.

986. He does not make the law, he administers it?—Clearly the law will not exist till he makes the law, that is, until he practically declares this district; it is a declaration of a district under this power, and he practically touches immediately the people in the declaration of that district.

987. Are you not of opinion that the primary responsibility for the place rests with those having the power in Clause 4?—I take it that a large amount of the responsibility would rest with him; but I do not think it would rest with the peace officers, and I see their difficulty; there is no one who can minimise it; but just as has been stated here, if the police officer was making laws, and practically proclaiming certain things, and certain districts, and at the same time having the force in his own charge, his life would scarcely be worth a moment's purchase upon either side; I mean his official life, not physically.

988. Mr. Lawson.] How would it affect his official life?—He would be badgered upon all sides; you know what official life is.

989. Mr. Sexton.] Do not you think that a police officer who fears badgering had better not go Belfast?—He must be an independent man.

990. Is it true that you recommended to the Commissioners that rioters caught looting any house should be flogged?—I did not.

991. One of the resolutions is, "That rioters caught attacking or looting any house, or those throwing missiles, be liable to be flogged?—I have not read that.

992. These are resolutions handed in by Mr. Samuel Black, the town clerk, upon the 14th of October?—Yes.

993. You are a member of the law and police committee, are you not?—Yes.

994. Were you present when these resolutions were passed?—I could not remember, but a man who loots a house is a very good subject for flogging.

995. Would you flog the kid-glove people who attacked houses?—I do not see any difference.

996. I refer you to your reply to Question 12251 in the Report of the Royal Commission, in which you say that "A large number of respectable well-dressed people, not by any means corner boys or rowdies, took part in the riots"?—We are speaking now of looting houses.

997. Attacking

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997. Attacking houses?—No; you confined your observations to flogging the parties who were looting.

998. No; I read one of the resolutions: "That rioters caught attacking or looting any house, or those throwing missiles, be liable to be flogged." Would you flog kid-glove people?—I would flog any man; the better he is dressed the more severe flogging he deserves for doing an illegal act.

999. Was a preference adopted by the Commission?—I believe not.

1000. In these resolutions you suggest that a local committee, comprised of the mayor and four members of the council, two of whom should be borough magistrates, the General or other officer commanding the district, the two resident magistrates, and the Assistant Inspector General, should be appointed; that is to say, you suggest a local committee of nine, five of whom shall be members of the town council, a clear majority; is not that your proposal?—Yes, of that committee.

1001. Of which you are a member?—Yes.

1002. And you adopted the resolutions?—I do not remember whether I was there; but in fairness to me, if you read my evidence generally as given before the committee, as to the composition of the committee, you will see that I widened it very considerably.

1003. The town clerk said that these resolutions were passed by the Law and Police Committee, which virtually comprise the whole Corporation. I have too close a knowledge of your important position in Belfast to suppose that any resolutions could have been passed without your concurrence!—I was not present.

1004. I observe the fact that the Law and Police Committee, of which you are a member, recommended the appointment of a local committee of five members; you were examined before the Royal Commission, and in reply to Question 12245, you recommended that there should be formed a consultative committee of six, two from the Harbour Board, two from the Water Board, and two from the Town Council; is that so?—Yes.

1005. Then your idea was that this committee should be composed of six local gentlemen, all Protestants?—No, I do not say that; the question of Protestants never entered into my mind.

1006. Are there any Catholics on the Harbour Board?—Yes, one.

1007. Are there any on the Water Board?—Yes.

1008. None on the Town Council?—No.

1009. So that you proposed to elect a local committee on the whole body, of which there is only one Catholic?—Yes.

1010. Does not that mean that there would be only one Catholic on the whole board?—Unless they happened to have a Catholic on the Water Board as a representative man.

1011. At the utmost, there would be only one Catholic to five Protestants?—Yes.

1012. Do you conceive that that would command the approval of the Catholic party?—I do not know, unless you make the qualification for a board and the qualification for any office purely and simply religious. Then I suppose we would have a *pro rata* religious board.

1013. Do not you consider that there is a clear difference between making religion a qualification and making religion a cause of exclusion?—I do not consider that religion is any cause of exclusion.

1014. Would it not amount to that?—No.

1015. Why?—In the first place, you must go back to the original boards.

1016. Without arguing the design, let us look at the facts?—The facts are political facts, not religious.

1017. Do you consider that any Commissioner of Police could maintain order in Belfast in connection with a committee of six, five of whom would be Protestants, who would have power to deal with Catholics, and have power to deal with the Catholic life of the town?—

Chairman.] That is not the proposal of the Bill.

Mr. Sexton.] That is the proposal of the mayor.

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Chairman. Surely we are going into the proposal of the Bill, and not what the mayor proposes.

Mr. Sexton. I am asking him whether he adheres to that idea of his or the proposal of the Inspector-General, Mr. Thynne.

1018. *(To the Witness).* Would you favour a committee of five, composed of the mayor, the general officer, the commissioner of police, and the two paid magistrates?—Well, I think it would be just going from Scylla to Charybdis. In the one case you would have the difficulty of religion, and in the other difficulty you would have the question of officialism; and I do not really see that you would be anything benefited, but personally I would prefer the merchants of Belfast, and the people of Belfast, who are known to the people, and whose actions would be thoroughly scanned by the people, to officials who have really no touch and no feeling, apparently, in common with the people except their officialism. I think of the two difficulties I would prefer the one suggested in the Bill; I might go farther, and say that it is a difficulty all round.

1019. Do you think that being in touch with the people might mean that the local magistrates in a case of this kind might be in touch with the local majority, and that that might be prejudicial to the place?—I do not think so.

1020. Do not you think the proposal of Mr. Thynne would have this advantage, at any rate, that it would be free from local prepossession, and, therefore might be supposed to address itself to questions affecting the public peace in a spirit, at least, of impartiality?—I do not think so in the one case more than in the other. In the one you would have men who were thoroughly conversant with the town and its requirements, and in the other you would have pure and simple officialism.

1021. In the one you would have persons affected by local passion and feeling; in the other you would not?—I do not think so.

1022. You do not approve of the proposal that the power to allot compensation should be divided between the council and the watch committee?—I do not see what advantage is to be gained by it. I think the town council is a proper board, and it is a more commercial board than the constitution of this would be, but at the same time there may be a feeling that the town council in questions of personal injury might not be as capable of dealing with them, but I believe they are quite equal to the occasion. I think it would simplify the matter very much to have them deal with the whole matter.

1023. *Chairman.* The town council to deal with the whole matter?—For injuries.

1024. *Mr. Sexton.* You object to that part which delegates to the watch committee the burden of allotting the compensation?—I do not object to it if it is thought by the Committee to be wise, but I do not see what is to be gained by it.

1025. Have you any opinion that the general law relating to malicious injury, whether to life or property, in Belfast, should be placed upon a level with the law elsewhere?—That is the grand jury law?

1026. Practically,?—It is on a level, with this exception, as to personal injury. If the power of the council was widened, and made co-extensive with the power of the grand jury, well, I think it would meet all the difficulty, but not to go further.

1027. I should like to ask your opinion on two or three answers of the town clerk to the Royal Commission?—Do not ask me that; he will be here himself, I believe.

1028. He was asked, "Do you know whether, under the present Grand Jury Act, the grand jury can award compensation for injury to the person if the sufferer be a magistrate or police officer? (A.) I believe it is so. (Q.) Is there any reason why that rule should not exist in Belfast? (A.) I think it should be abolished; it is the ordinary risk of a man's employment." The President remarked upon the town clerk's evidence: "This gentleman draws, it is plain, a very clear distinction between the breaking of a window and the breaking of a policeman's skull. He says the one is malicious injury and the other is not malicious injury; you do not agree with the town clerk there?—If you ask

ask me to go through it I will; if you ask my candid opinion as to what evidence I would give if you were altering the grand jury law, I would say that a policeman has no greater right to be compensated for the accidents or incidents of his calling than a soldier. He takes his office with all its incidents and all its accidents.

1029. *Chairman.*] Do you never hear of blood money for a soldier?—I am not aware of it.

1030. *Mr. Serton.*] The difference is, is it not, that a soldier is killed or injured, as a rule, by the enemies of his country; whereas the policeman receives injury at the hands of those who are subject to the law of the Realm. They are also the enemies of the law. He would not be there at all but for the fact that enemies of the law exist, because he is a police officer.

1031. Would people be injured so much in Belfast but for the sympathy shown towards riot by those who occupy a respectable position in life?—I do not think that sympathy exists at all; I think there is very strong sympathy with policemen on the part of the people so long as the policemen do not interfere with them; for instance, at Belfast on one side of the town they were delighted with the policemen when they were interfering with the people on the other side, but when they began to interfere with them themselves they were against them directly, and I believe it is human nature; we do not like people to interfere with us.

1032. Generally speaking, you have no objection to the law being placed on the same level?—As the grand jury law.

1033. In the counties?—I think that is far enough to go, and I think it should be circumscribed in the same lines.

1034. You had one or two disputes yourself in the streets, I believe, with one of the paid magistrates during the riots?—I had.

1035. May I take it that you agree with the Commissioners where they say that the police in Belfast during the riots had about 100 masters, and that it is not strange that such an arrangement did not work well?—Well, I would rather you did not ask me about that. That affects the general headship of the town is its mayoralty, and you must excuse me giving an opinion upon that question. I hold very strong opinions, and I acted upon them the moment I took office.

1036. But without infringing upon your laudable modesty, holding the position of mayor yourself, may I ask you whether you do not think a divided headship is an evil, and that there ought to be concentrated authority with respect to riots which may break out swiftly in Belfast?—I think there is absolute concentration. The mayor himself is the head of the town, the mayor and the town commissioner; but this was not the fault of Belfast. If you wish to go through with it I may tell you that in a paltry riot in the early part of January I found that our town inspector was hampered by another inspector over him; that he absolutely could not take his men off the street without a divisional inspector, having government over the whole of Ulster, giving him permission; and I thought it my duty to at once put a stop to that, and I am glad to say the Government did so.

1037. And all the inspectors over one another had 100 magistrates over them?—The difficulty was, that your local inspectors were cast aside by illness or injury, and that you had about 60 or 70 resident magistrates, and nearly 100 district inspectors, not one of which knew a pin's-worth about the town, and that practically they ran riot themselves. It is a stronger argument for local influence.

1037.* Under the existing system which has recognised local influence, you have had now in 15 or 16 years three mortal and prolonged riots?—Not at all.

1038. We had some in 1872 and some last year?—Yes, 1872; but you forget the most material riot you had was in 1864 when you had not local influence at all.

1039. You had a local force?—A local force utterly inadequate numbering some 130 men, utterly inadequate for the preservation of the peace.

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1040. There were five resident magistrates amongst them, were there not?—No matter how many there were, the force itself was physically incapable of coping with the angry state of the town.

1041. Was not that the fault of the town council?—The fault of the town council in not appointing enough men, but they were anxious to keep down the taxation of the town.

1042. How is it that you revert to the doctrine of the efficacy of local control, in view of the fact that 20 years ago, upon the view of a Royal Commission, it was abolished, and local control taken away after the riot?—Local control was taken away as to the police, and I am not very sure that they benefited by it; but remember, when I was asked the question whether I would have local police, or whether I would have a draft of the Royal Irish Constabulary moderately stationary in Belfast, who would be acquainted with the town, I gave the unqualified opinion, that on the whole I thought the Royal Irish Constabulary would be the best for us to adopt, and I do that with all the experience of the past.

1043. Looking back on the frightful history of the last 24 years in Belfast, the strong local influence—?—Do not go so far back as that. It takes me to the point of boyhood almost.

1044. Do not you think you might countenance now an experiment by which Parliament might try for a few years how Belfast could be governed with a Committee having the powers of Clause 4, and the Commissioner of Police unembarrassed by any local direction?—I do not. It opens up the question of the cause of those riots, and I suppose it is better for us not to do so.

1045. The cause is difference of creed, I believe?—Not at all. The cause is utter incapacity to manage the force at command; I say "utter incapacity."

1046. That may be the cause of the prolongation of the riots?—²And of their inception, too.

1047. Do you decline to accept the principle that when disturbances and riots arise from political feeling emanating out of difference of creed, the care of the peace in a town like that ought to be removed, as far as possible, from the control and from the influence of either of the local parties?—I would not. I believe that the local parties, and I speak unbiassedly, and I speak for all the parties, those deeply opposed to me in politics and in religion, and I have received from them all the heartiest support and very decided good in the allaying of passion and anger in their various districts; and I believe it would be an incalculable injury were you to obliterate the influence these men are capable of exercising and have exercised.

1048. I will just ask you one more question. The peace is frequently broken in Belfast, and frequently broken at a heavy cost to the public. Do you decline to allow the general public to arrange such a system of preserving the peace in Belfast as will prevent the local parties from having influence over those who are entrusted with the administration of the law?—What am I to understand by the "general public"?

1049. The country?—You mean Parliament.

1050. I do;—So far as that is concerned I think the local magistracy of Belfast represent more property, more wealth, and the employment of more labour, and the building up of the town to a greater extent, than any number of men that you can get in the place. They have the deepest interest in the taxation of the town; they pay the largest amount of the taxation, and have the deepest interest in the peace of the town; and I do not think that Parliament would be wise in wiping out those local magistrates in Belfast and retaining them everywhere else.

1051. Has the same cause arisen anywhere else for abolishing their power?—I do not know the causes anywhere else. I know the causes intimately in Belfast.

1052. Is not Belfast, in regard to the question of rioting and frequently recurring disorder, in an absolute unique position?—You have had just as severe riots as those riots were, though shorter, under the shadow of your own House here in Westminster.

1053. We

1053. We do not allow any local magistrates here to direct the Commissioner of Police?—You allow the head of the Government.

1054. That is what I want in Ireland?—You allow the head of the Government to take the direction of your local police in Belfast: you put it upon the head of the Government in Belfast.

1055. So it is upon the head of the Government here?—No.

1056. The Home Secretary?—You want to make the Commissioner of Police independent of the Government. You may dismiss him or otherwise; but here, the Commissioner of Police in London, that is the head of the police, is bound to take his authority from the Home Government.

1057. Could not the Under Secretary in Dublin Castle dismiss the Commissioner of Police if he pleased?—For what cause?

1058. Any cause?—I dare say he would make a scapegoat of him, as you did in the other case; that is, you give the order to do certain things, and if they are unfortunate in the result, you dismiss the Commissioner of Police. That was the case, I believe, here.

1059. The Home Secretary will dismiss the Commissioner of Police in England; in Ireland the right honourable gentleman in the chair will dismiss the Commissioner of Police in Belfast if he fails to do his duty?—Yes, I dare say.

1060. Mr. PICTON.] From this return of the attendances of magistrates for the borough of Belfast in different years, it appears that only a part, I think only a minority, of the magistrates ever sit on the bench?—That is true.

1061. Of those who sit on the bench, are most of those justices members of the town council?—That is shown on the first page that you see there.

1062. The Return ending the 31st of August 1885?—Out of that whole list there are only four members of the council.

1063. Is the same the case for the next year?—You mean 1886?

1064. Yes?—There are seven; there are six in the next.

1065. I will not trouble you with the next; probably the same proportion would prevail; but out of those do they include the magistrates who attend?—Most of them.

1066. For instance, in 1885 you begin with 67 attendances; is that a town councillor?—He is.

1067. And the next one 57; is he?—He is not.

1068. Now the next one?—I am.

1069. That is you; I beg your pardon?—The next is not; the next is; the next is; the next is not; and the next, and the next; you go on down, then there is not another member, I think.

1070. In the following list?—1886.

1071. Yes; I see some of the same names occur?—Yes, the first two. Then you have the third, fourth, fifth not, the sixth is; the seventh—

1072. There are 17 justices of the peace on the town council, are there not?—Really, I could not say.

1073. I understood that there were; at any rate, in the Appendix C. of the Report, it is stated to be 17, and I suppose nearly all, in fact, all of those will be Protestant, will they not?—Yes.

1074. They are all Protestants?—They are.

1075. Then the result would be that out of those justices on the town council there are several who are constantly attending the bench who are sitting?—Yes, as a rule, the regular attenders on the bench are younger men; there may be some instances, but the older men, appointed in 1868, I think, say 20 years ago, have largely passed away from active duty.

1076. They would naturally be animated by the feelings which led to the election of the town council. Of course, the town council is elected by public opinion?—Yes.

1077. These would represent those opinions?—You mean in the town council?

1078. Yes?—I do not think they would carry them on to the bench.

1079. Naturally, on the bench they must carry their opinions with them; I do not say they would consciously act unjustly for a moment, but I mean

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they must carry with them wherever they go the opinions by which they are generally animated?—I am afraid if you push that that every judge in the land gets his Attorney Generalship, or Solicitor Generalship, because of political services, and he graduates up to the bench; and by a parity of reasoning at once you put yourself into the position that every judge must carry his political feeling along with him.

1080. A judge has had a long experience and training; he is trained especially to subordinate everything to judicial treatment; you cannot say that of ordinary justices of the peace?—That is my position. I think there are justices of the peace quite as capable of subordinating their feeling, and of giving a judgment free from prejudice as any judge.

1081. You give a list of appeals from the decisions of magistrates in the Belfast police-courts; this list of appeals is intended to show, I suppose, that their judgments were generally affirmed?—I think so. Of course there is the same difference in justices as in judges of assize as to the measure of punishment; if the maximum is 40 s., one man will say 10 s. is sufficient for this; and another will take an extreme view and say, We should make it 40 s.

1082. Out of 102 appeals 47 were affirmed, 21 were reversed, and 28 varied; is not that the case?—Yes.

1083. Out of those varied there are some that are considerably varied; there are some sentences of two months, and some are "varied to a fine of 1 l. and 10 s. costs"—One hundred and two. That goes to show that the superior judge takes a very opposite opinion to that put before the Commissioners by Colonel Forbes.

1084. I only ask you now whether the variations do not amount to something very considerable?—Yes, exactly, but the contention was that the local magistrates exceeded their powers, or were extreme; whereas the judgments, according to that statement, would show that they were not.

1085. It comes to this: that out of 100 cases there were 49 either reversed or varied, more or less?—Yes; that is not greater than you will have from an ordinary recorder to a judge of assize; we have had a similar case in the last fortnight.

1086. *Chairman.*] Almost the first thing you said was, that two resident magistrates would be quite sufficient for Belfast?—I think so, if they were first-class men.

1087. How was it that when you had Colonel Forbes and Mr. McCarthy you had the worst riots ever known?—Do you wish me to state my clear opinion?

1088. No. Were not those the two best?—Yes.

1089. Were not those the worst riots known in Belfast?—Yes.

1090. That is enough for me!—I think in fairness I should go further than that.

1091. I do not think it necessary?—You would have had similar riots now if I had not prevented resident magistrates going on the streets exercising street duty and then going on the bench and distributing justice.

1092. *Mr. Sexton.*] Surely you would not have the House Rule Bill in the House of Commons now as you did last year?—I feel that no magistrates should sit upon the bench adjudicating in connection with a riot that he has taken part in quelling on the street.

Mr. McCowell.] The Act that has been referred to as passing through the House lately, the Main Drainage Bill, contains, as is no doubt well known to the Committee, a clause altering the Municipal Franchise in Belfast.

Sir James Corry.] Oh, no, it is a new Bill; it is a separate Act.

Mr. McCowell.] The new Bill contains that?

Witness.] Yes.

1093. The members of the corporation "will" all vacate their places at the end of the year and be re-elected?—They will.

1094. There

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[Continued.]

1094. There will be a new election?—There will be a new election.

1095. And the council newly constituted?—Yes.

1096. When did Belfast get a separate borough magistracy granted?—In 1868, I think. The Act of 1868 I think appointed them.

1097. Mr. *Sexton*.] This list of appeals that you have handed in takes no note of the case where an appeal was desired by a person convicted, and where the magistrate refused to give it?—I do not know. My object in asking that that return should be made to me, was to ascertain honestly whether the convictions were legal. It is with regard to whether a man is acting legally or illegally. It is presumed the appeal will test that.

1098. But it gives us no information, I believe, as to the cases in which appeals were desired but not granted by the magistrates?—No, I do not think there is any machinery by which I could get that. There is no record of it.

1099. Mr. *McConnell*.] Do you say, upon the infliction of a fine of above 25 s., the person so convicted can appeal without leave?—He can.

1100. Mr. *Sexton*.] What imprisonment can you give without giving an appeal?—You can give up to a month, I think.

1101. Mr. *McConnell*.] I think you desired to explain; in answer to the honourable Member's question, you said that you had disputes with resident magistrates during the riots; what were they; you desired to explain something to the Committee?—My chief disputes were as to firing on the streets. I look upon that as the greatest blunder. I have had experience now in Belfast for 20 years, and I do not think I have ever seen circumstances in which I would have been justified in firing upon the mob.

1102. That was the subject of your dispute?—That was the subject of my dispute.

MR. ROBERT LAURENCE HAMILTON, sworn.

Examined by Mr. *McConnell*.

1103. Are you a magistrate for the borough of Belfast?—I am.

1104. And a member of the firm of Richardson Brothers, who are extensive merchants there?—I am.

1105. Do you employ 7,000 or 8,000 hands?—Yes, in all the business with which we are connected.

1106. As to the question of the abolition of the magistracy, or as one honourable Member called it, dismissal from the bench, what is your opinion?—My opinion is very much opposed to it. I know no men in Belfast who have done more for the good of the community, and the building up of a fine town, than the local magistrates have done, and I am well aware that the riots complained of last year neither originated nor were continued by them. I swear that distinctly.

1107. You have heard the evidence given about the riot, and the attendance of magistrates?—Yes.

1108. Do you agree with that?—I do. The resident magistrates have honoured me often in asking me to take their places, and in sending for me to help them outside the day upon which I was supposed to appear in court. I would like to say, if the Chairman allows me, that there have been many resident magistrates in Belfast since I have had the honour of holding the commission of the peace, and with not one of them has there been the smallest difficulty with myself, or with any other borough magistrate till within the last two years; personally I have never had a difficulty with the resident magistrates.

1109. Do the magistrates fairly represent the wealth of Belfast?—They do distinctly; the commercial interests of the town.

1110. The business interests?—They do.

1111. Do you think any charge of impropriety or injustice can be brought against

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MR. HAMILTON.

[Continued.]

against them, or of having acted unfairly?—I think it is a contemptible charge, and one that any right-minded man would scorn, and made by those who do not know us, and who have not watched our course, or who from sheer malice make it. I have said that we have 7,000 or 8,000 people in the different branches of our employment, and the question of religion, or the question of the politics of any one of them never once arose; and I have been in Belfast upwards of 40 years, and I think I know it.

1112. Mr. Sexton.] How long have you been on the Commission?—The Borough Commission was issued in 1868, and a short time after that I was appointed for the borough; then in later days for the county.

1113. You held the Commission during the riots of 1874?—Yes.

1114. Parliament decided some few years before that to abolish the local force and to withdraw it from local control?—Yes, that is, I think after 1864.

1115. I suppose that is because it was found that local influence did not tend to the preservation of the peace?—But there were no local magistrates then.

1116. The old force was under the control of the town council?—Yes, it was. They were called the borough constables.

1117. And the new force came under the control pretty much of the borough magistrates?—No, that is an utter mistake, and I contradict strongly here the evidence given at that Commission, that the police were under the orders of the borough magistrates. We were swamped with resident magistrates; there were 22 to 24 resident magistrates in Belfast at the time; it was perfect nonsense. Besides, the mayor of the town asked us not to interfere at the first going off, but he was very glad to ask us to interfere before the thing ended.

1118. Was not the advice of the local magistrates pretty generally taken during the riots?—It never was asked at the commencement of them.

1119. Did not the executive council which sat—?—I was not a member of it.

1120. Some of your colleagues were?—What passed in that chamber I do not know. I am very sorry it was not all printed from what I heard.

1121. It was composed of resident magistrates?—Yes.

1122. And local magistrates?—Yes; I am one of them.

1123. Therefore your opinion as a body was taken?—I am not so sure of that.

1124. How can you doubt it; did not the executive council govern the force there?—I do not think the body of magistrates in Belfast were consulted as they ought to be at all; the resident magistrates met in one place, as you heard from one gentleman examined to day; the borough magistrates were in another place, and who selected this executive committee, and where they met, and what occurred in camera I really cannot tell you.

1125. As a matter of fact the local justices had a representation on the Executive Council, and the Executive Council governed the force?—Towards the later end of the business the Mayor thought that a blunder had been made and therefore he called the local magistrates together, to recover the lost ground. Prior to that the resident magistrates had it all in their hands, and a nice kettle of fish they made of it.

1126. The kettle was pretty full of fish all through, both at the end and at the beginning?—And some very queer fish.

1127. You think if we could get some of the fish out it would be better?—I think they made it hot for the fish.

1128. Do you impeach the impartiality of the Royal Commission?—I would rather not say that from circumstances that I know of, but I certainly do impeach its impartiality since you have addressed the question to me.

1129. These Royal Commissioners have no local connection with Belfast, have they?—No, not that I know of. I never saw a Commission conducted in the same style. If the Committee imagine that the business was conducted as the Committee do it here, they are sorely astray.

1130. We are not so vain as to imagine that our way of conducting business here

here is the only good way?—No, it is not the only good way, but at least it is decent.

1131. What was there indecent there?—You will not trail the red herring across my path and take me further. You asked me whether I doubted the impartiality of the Royal Commission, and I said distinctly, I do.

1132. You are a gentleman holding a high position on the commission of the peace, and you have now stated on oath here that the Commission acted indecently?—I do not say that; you may make that out of it.

1133. Did you mean that the proceedings were indecent?—I meant that they were partial, and I meant that the manner of some of those on that Commission was ungentlemanly and rude and boorish.

1134. Some of the Commissioners?—Yes; I never saw men that were expected to look and behave as gentlemen act in the same way, and my opinion is generally held.

1135. What Commissioner was guilty of that?—Oh, no!

Chairman.] We will not go into that.

Witness.] We will not go into that.

Chairman.] This is on the conduct of the Bill and not the conduct of special commissioners.

Witness.] Certainly.

Mr. Sexton.] But the special commission made recommendations which are intended to govern us.

Chairman.] But you are asking the witness his private opinion; I do not think that comes within the scope of our inquiry at all.

1136. *Mr. Sexton.*] That Commission was composed of Mr. Justice Day, Major General Sir Edward Bulwer, and two barristers-at-law, Mr. Trench and Mr. Adams, and they agree in saying that the justices "are regarded by the rival parties with suspicion, which enormously militates against the weight of any decisions they may give"—I do not think that the local justices will in any place be found like Cassar's wife.

1137. No; but there is a wide difference between that and being regarded with constant suspicion?—It is not "constant," and I swear that.

1138. "Which enormously militates against the weight of any decisions they may give. Further public inconvenience is caused by their fluctuating attendances on the bench, and during the riots this was most unfortunate, as the varying character of the tribunal rendered punishment unequal at a time when it was most desirable that they should be at once equal and severe?"—No one felt more disgusted with the riots of Belfast than I did.

1139. I am quite sure of that?—I never took part in a riot case at the court because the resident magistrates were there; in fact, I thought that was their business, and I never took part in a riot case, and I have never been at one of the magistrates' meetings to prepare for this Bill now before the Committee.

1140. Did you act in the streets during the riots?—Sometimes Father Green and I did in former riots.

1141. Were you examined before the Commission?—No, I was not. That is just one of the points, that some of the men who had evidence to give that would have been considerably more trustworthy than some of the evidence in the Blue Book were left out in the cold, and one of them is examined to-day.

1142. Who is that?—Mr. Hamilton, and other gentlemen in the room.

1143. Apparently the Commissioners were very anxious to hear him if they knew what he had to say; there were 200 witnesses examined?—I think so.

1144. Did not they contain a very fair and full proportion of people with whom you sympathise?—It contained some very remarkable men.

1145. But did not it contain a full proportion of the Protestant community?—Oh, yes; I should say it contained a fair enough proportion as regards numbers.

1146. They were not impeded in giving their evidence; they gave their evidence

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[Continued.]

evidence fully?—I should think they did when such an averment as that is the result of it.

1147. Every man, in fact, who had an interest in the question said all he had to say, did he not?—I am not sure of that.

1148. Have you any reason to doubt it?—There was a centre piece that did not allow people to say all they wanted to say.

1149. You mean the judge kept order in court?—It was a curious kind of order.

1150. *Sir James Corry.*] You have had a very long experience of police courts in Belfast?—I have, and attended regularly.

1151. You attend regularly on the days on which you are bound to attend, or on which you have agreed to attend, and also on the days you are requested to attend by the resident magistrates?—Or when the resident magistrates were absent, and the clerk sent for me.

1152. Do you think there is any justification whatever for the proposal in this Bill to withdraw from the borough magistrates jurisdiction upon the bench?—I do not, distinctly, notwithstanding what any one said.

1153. I see by that Return that has been handed in that your attendance has been very constant and very frequent?—It is but fair to say to the Chairman, if he will allow me, that Saturday was the day that I chose, it being a short day, and it being the day that the Industrial School cases come up, and I am interested in children.

1154. We have heard something about the variable decisions, at least the punishments: have you any information to give the Committee with reference to that point?—I have not differed from the resident magistrates often; I have differed sometimes, and said a lenient word or two where I thought it was kind to do so. I do think that some of the sentences passed were heartlessly done as well as heartlessly severe. For instance, now, this occurred to a poor man, I do not say that he was a good one, "One and six." When I heard it I really thought it was eighteen pence, but it really turned out to be seven months. I was in court the day I refer to, but not on the bench.

1155. *Mr. Sexton.*] What had this poor man done?—Been drunk and disorderly.

1156. Had he beaten anybody?—Not that I know of.

1157. *Chairman.*] Seven months for being drunk and disorderly?—"One and six."

1158. *Mr. Sexton.*] One and six were seven; was that it?—One for the drunkenness and six for the disorderly. It was not only the thing itself, but the way it was done, and that has been done frequently. I honour the local magistrates who would not be a party to it.

1159. *Mr. Pictou.*] Was that by a resident magistrate?—It was.

1160. *Sir James Corry.*] Have you formed any opinion as to whether it would be better to have police magistrates or ordinary resident magistrates with legal knowledge?—The legal knowledge is, of course, an advantage in some cases, but I would really say that 95 per cent. of the cases heard in the Belfast court are to be decided on the principles of common-sense, and inquiries of your business men, those transactions which occur between employer and employed, the wages question, the calculation of hours, and failures in the articles manufactured. I have seen some resident magistrates very amusing; they did not know whether it was silk or sacking, that is to say, the article that was produced as being spoiled in the work or spoilt for vending the article, and how could they decide it. They had to bring in some one who had a knowledge of the trade. There is an advantage in a mercantile community such as ours is, where the operative class prevails to a considerable extent, to have people upon the bench who know the trade in those cases.

1161. Have you looked at this proposal with reference to the watch committee?—I have.

1162. What

1162. What is your opinion with reference to that?—I do not like to say anything unfavourable to it, though I think it is a shabby thing, and for this reason: I think it is trying to put on other shoulders a responsibility which they are afraid to take on themselves.

1163. Mr. Sexton.] Who are afraid to take it on themselves?—The police authorities and the proper authorities.

1164. Sir James Corry.] Would you be in favour then of handing the whole affair over to the Chief Commissioner of Police?—I would not for this reason: that man's life would be perfect torture. There would not be a night in the House of Commons that some honourable Member would not get up and ask a question about him, and pressure would be put upon the Government of the day that he must be changed and relegated to some other position and some other disciple come in his stead. I do not deceive the honourable Member about that.

1165. What buffer would you put between the Commissioner of Police and the public?—It is, no doubt, odious to think that as regards a watch committee of 12 it would be necessary in a town of 230,000 or 240,000 people to argue the question that anyone would be left out of representation on account of his religion; it is perfectly odious that there should be any necessity for it; but undoubtedly, and it is no use shutting our eyes to it, if there be a watch committee, both the religions of the town must be represented on it. There could be no fair play otherwise than that.

1166. So that you would say if all the elected members of that watch committee were Protestants that the Lord Lieutenant should in justice appoint Catholics?—I do not believe such a thing would occur, and if it did, the Lord Lieutenant should in justice have all parties fairly represented.

1167. You agree that they should have a fair proportion of the members of the watch committee?—I do; but then if you ask me the question whether even that watch committee would be an improvement upon what you have now, or what is existing now, I would say that that requires consideration. I know no one makes a worse magistrate than a solicitor. He knows so much law that he has never learned justice. We have a sample of it, and I daresay members of the Committee will have it too.

MR. RICHARD PATTERSON, sworn.

Examined by Mr. McConnell.

1168. Are you a resident in Belfast, and a borough magistrate?—Yes; I reside in the suburbs of Belfast.

1169. You carry on your business in Belfast?—Yes, I have done so for many years.

1170. Does the borough magistracy in Belfast fairly represent the intelligence of the business men of the town?—I think it does fairly represent both the wealth and the intelligence of the town, not only from one party but from all sections of the community.

1171. Are you of opinion that it would be satisfactory to the borough, and to the administration of justice there, if they were deprived of their judicial functions on the judicial bench?—I think it would be a very great misfortune if they were deprived of their judicial functions, and I think the town would regard it as such. Besides, it would lower the status of the gentlemen who are in the commission of the peace, because in a very short time we could not get the class of men to accept the Commission that we have at the present time.

1172. You think that the men would not be found to accept office deprived of its judicial duties and functions?—No, certainly not. I do not see why we should be deprived of functions that no other set of magistrates in Ireland are deprived of.

1173. Can you speak as to whether the bench, as it is at present constituted,
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MR. PATTERSON.

[Continued.]

has the respect and confidence of the townspeople?—I believe it has of the majority of the people.

1174. Is there, as far as you are aware, any ground for suggesting that they have been unfair or partial in their decisions?—As far as my own judgment and knowledge go, I have never seen the slightest bias of any sort. I have sat on the bench with magistrates, both Roman Catholic and Protestant.

1175. Do you think the business of the courts could be carried on by two magistrates of a stipendiary character alone?—It could be carried on, but not to the satisfaction of the inhabitants.

1176. Could it be actually done without sitting every day during the year?—No, it could not as the law exists at present.

1177. Mr. Lawson.] You say that if the jurisdiction of the borough magistrates was taken from them, you doubt whether they would get men of character to serve on the bench. How do you imagine that is done in the great towns of England, where, of course, stipendiary magistrates are appointed; take Birmingham for example?—Well, really I have no knowledge of how the thing is worked in the English towns.

Mr. McConnell.] If the honourable Member will pardon me, they are not deprived of their judicial functions there; they sit in separate courts.

Mr. Lawson.] They sit in separate courts, but they are deprived of great part of them.

Mr. Whitley.] They are about equally divided in Liverpool. We have four courts every day there, and I think the unpaid magistrates do the greater share of the work.

Mr. Picton.] But the stipendiary magistrate takes all the important cases.

Mr. Whitley.] No, he takes a certain class of cases.

Mr. Picton.] I thought they were courts for cases of drunkenness and disorderliness.

Mr. Whitley.] No, they divide them very equally.

1178. Mr. Sexton.] I suppose you are familiar with this list of witnesses examined by the Commission of Belfast?—Moderately so. I have not gone through the Blue Book. I read the evidence in the newspapers at the time.

1179. These 200 names, I suppose, include a fair representation of persons of all opinions and conditions in the town?—Yes, I should think they do.

1180. And the Commission sat there for three weeks on the spot from day to day?—Yes.

1181. Four of the Commissioners have come to the conclusion upon the evidence taken before them that it would be desirable, for the more efficient administration of justice, that the borough justices should be relieved of the task of adjudicating on the bench. Do you think that that decision of the Commissioners conflicts with the weight of the evidence taken before them?—Certainly I do; and it conflicts with public opinion in Belfast.

1182. Do you consider that the weight of evidence in this book, or in the newspapers which you have read containing the same matter that is in this book, is against that recommendation?—I should think so.

1183. You think it is?—Yes.

1184. You were examined yourself there?—I volunteered myself to make a correction, which you will see. My evidence is very short. There was an insinuation thrown out which I thought it right to go up and correct.

1185. You object to the relieving of the justices from judicial functions upon the ground that there is no set of magistrates in Ireland deprived of such functions?—I am not aware that there is.

1186. I suppose you know that they do not exercise them in Dublin?—I really do not know.

1187. When

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MR. PATTERSON.

[Continued.]

1187. When I state that fact to you, would it alter your mind that in Dublin the judicial functions are seldom discharged by unpaid magistrates?—I am sure you are quite correct; you ought to know better than I do.

1188. Does it not occur to you that Dublin and Belfast, being the only two large and important cities in Ireland, might very well be placed on a level in this respect?—I have already stated, I believe, that you would lower the dignity of the Belfast bench very much indeed if you deprived the local magistrates of the judicial functions.

1189. Have you ever heard it stated by anyone that the dignity and status of the local bench had been lowered because they were deprived of the judicial functions?—I know nothing of the Dublin bench whatever. We Belfast people do not trouble ourselves much about Dublin.

1190. Evidently, because you were not aware of the fact that the magistrates there do not discharge judicial functions?—No, I do not know what the arrangements are.

1191. I suppose you know that the tendency is in cities of the size and importance of Belfast in both countries to give the administration of criminal justice into the hands of paid magistrates?—Yes, I understand it is so.

1192. Sir James Corry.] I take it from you that you agree with the evidence given by Mr. Hamilton that this proposal in the Bill before the House is one that you do not approve of, with reference to the withdrawal of the jurisdiction?—I think it would be a very great misfortune to Belfast.

1193. Have you looked at the Bill with reference to the constitution of the watch committee?—I have.

1194. What do you think with reference to that?—Well, I see great difficulties as regards the constitution, but of the two evils, that is to have a local committee appointed as provided by the Bill, or an official committee as suggested by Mr. Thomas Hamilton, resident magistrate, to-day, I would very much prefer the constitution as provided in the Bill; at the same time I agree with Mr. R. L. Hamilton that all religious parties (including the Roman Catholic party when I say that) should certainly have a representation on the watch committee if it were possible. Of course that could be provided by the Lord Lieutenant nominating Catholics to that position.

Mr. McCConnell.] These are all the witnesses I propose to call. I have a number of gentlemen from Belfast to give evidence of a like character, but I do not wish to weary the Committee by calling them.

Mr. Sexton.] May I ask the learned Counsel if the witnesses are all gentlemen like those who have been called, who are themselves attacked by the proposals in the Bill.

Mr. McCConnell.] I cannot say whether that is so or not; I will inquire.

MR. JAMES H. HASLETT, re-called.

1195. Sir James Corry.] In your opinion it is not very desirable that whoever is sent to Belfast as a Police Commissioner, and also the Sub-Inspectors of Police, as well as the men, should be as permanent as possible?—It is; that is, men who will acquire knowledge of the localities and of the people.

1196. And, in your opinion, is the remuneration that is given to the Commissioner of Police, and the Sub-Inspectors as good as it should be, seeing that they have to live in an expensive place like Belfast?—The matter was brought before me, and I have inquired into it, and I think on the whole, in order to obtain a first-class staff of officers, it would be fair and reasonable that there should be some addition made to the salaries of men coming to occupy that position in Belfast. I was not aware, in fact, of what the remuneration was until making the inquiry about this matter, and I may mention that the result of my inquiry is, that an officer coming to Belfast, say a third-class District Inspector, has 125 l. a year.

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1197. And

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MR. HASLETT.

[Continued.]

1197. And allowances of course?—He has an allowance of 36 l. or equal to 161 l. and he is called upon to keep up a fair position in life, and keep himself in a position of independence.

1198. Do you think if the Government saw their way to increase the salaries of these officers that the Corporation would have any objection to pay part of the expenses, as it proposed to put part of the expense on other things?—I believe the Corporation, as representing the ratepayers, and the ratepayers generally, would wish to see the men who are placed over the police, without regard to any other matters, as fairly paid, and as comfortable as possible. They are much less paid than in corresponding large towns, much less than in Dublin, and I think it would be fair if, say, not exceeding 25 per cent. of the salary, not the allowances, were added; and I am quite satisfied the town council would be agreeable to pay the half of that amount if the Government were agreeable to pay the other half.

1199. Your object in stating that is, to get the very best class of men that you can get, and to make them as permanent as possible?—Yes.

1200. *Chairman.*] I suppose really as a matter of fact the town would give the whole?—Indeed we will pay as little as we can, but I think when good government is concerned both parties will participate in that, the government as a government, and the town as a town; and I think when the town is willing to pay its quota, it is fair and reasonable, as meeting the case, that the Government should do part.

Saturday, 13th August 1887.

MEMBERS PRESENT:

Mr. James A. Campbell.
Sir James Coery.
Colonel King-Harman.
Mr. Lawson.

Mr. Ploton.
Mr. Sexton.
Mr. Whitley.

THE RIGHT HONOURABLE EDWARD KING-HARMAN, IN THE CHAIR.

MR. ALEXANDER BOWMAN, called in; and Examined.

1201. Mr. Sexton.] I BELIEVE you have been for many years a resident of Belfast?—I have been living there since 1865; 22½ years.

1202. I believe you are a Protestant yourself?—I am a Presbyterian.

1203. You are familiar with the circumstances of the riots of last year?—I am familiar as all the residents in Belfast were who were not actively engaged in them. I am not sufficiently familiar with them to know anything about how they were organised.

1204. Do you know the public circumstances connected with them?—I do.

1205. Have you followed the course of the evidence taken by the Royal Commission?—I have; I followed it as it was being given, and I have read the Report.

1206. Now I will ask you if you generally adopt the recommendations made by the majority Report?—Practically I agree with their recommendations; there may be some minor details in which I do not agree, but in the main features I do agree.

1207. Chairman.] You are speaking of the majority Report, I suppose?—Yes, of course.

1208. Mr. Sexton.] Have you read the particulars of the Government Bill as referred to this Committee?—I read it as published in the local newspapers; I do not know whether it has been altered since then. (*A copy of the Bill was handed to the Witness.*)

1209. Is it accurate to say that now and then party feeling runs very high in Belfast?—It runs very high; perhaps there is no place in the north of Ireland where party feeling runs more highly than in Belfast, and that is saying a good deal.

1210. What would you call the strength of the Nationalist population of the town?—Roughly speaking it is one-third of the gross population.

1211. What representation have they on the local elective life of the place?—There are four local boards, that is to say, four spending boards in Belfast, the Municipal Corporation, the Water Commissioners, the Harbour Commissioners, and the Poor Law Board. Of course you know the composition of the Poor Law Board; there are some *ex-officio* guardians who may be Nationalists upon it; that is, there are Catholics but very few of them; there is one Catholic at the Water Board and that is the entire representation of the Nationalist third of the population at the local boards. There are two Liberals, I might add, of the Unionist type, at the Municipal Corporation Board, but only two.

1212. Practically, then, the present system shuts out the 60,000 or 70,000 of the
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Mr. BOWMAN.

[Continued.]

the Nationalist population from representation in the local life of Belfast?—Yes; and adding to those the Liberals, probably we would have 100,000 altogether who have practically no representation upon the local boards.

1213. What, in your opinion, is the state of feeling amongst the Nationalist population with regard to the local justices?—I may say that I do not think they are prepared to accept their deliverances as being consistent with justice, nor indeed with law very often. The very composition of the local magistracy tends to bring the law into disrespect in Belfast. A very objectionable feature in the Belfast magistracy is that a large number of them are engaged as retailers in the various trades, and those men by reason of their position in their order of trade are more accessible to the people who are likely to be brought before them. There is scarcely a person arrested (that is, in certain districts where the Protestants live, for it is in those districts generally that the magistrates also live and have their business); there is scarcely, I say, a person arrested who has not some friend who can influence a magistrate by reason of the fact that he or she is acquainted with him in the course of trade, and the consequence is that the Nationalists feel that they are aggrieved by reason of that fact.

1214. The Mayor of Belfast denied yesterday that it was usual there for persons or their friends concerned in cases before the local courts to invite the attendance of magistrates for the purpose of influencing the decision upon a case from a party point of view?—I am extremely sorry to differ from his worship. I have long admired and respected Sir James Haslett, but on this occasion, in the interests of truth, I am bound to do so. I can remember being asked by a person to go to the police court during the riots in order to testify as to his general character, and I know that that person had, through his relatives, approached the magistrates, and indeed a magistrate who is at present in this room.

1215. Would you commit yourself upon your oath to the declaration that such a practice is customary?—That would depend largely upon the definition of the word "customary."

1216. Does it often occur?—It often occurs.

1217. *Chairman.* What you said was, that there was scarcely ever a case in the quarter in which the Protestants live in which the arrested person has not some one who could influence the magistrates?—I said "who could?" I do not say that in every case it is done; but the impression exists that it is done. I am going to testify to cases where it has been done. I know of cases in which it has been done, but I am not prepared to say that it is done usually or even generally.

1218. *Mr. Sexton.* Is it usual for the local justices in adjudicating in Belfast to ascertain the street in which the prisoner lives and the person by whom he is employed?—Yes. I have been informed by persons who go to the police courts more frequently than I do, that that is usual.

1219. *Chairman.* You do not know that of your own knowledge?—I have been informed so by practitioners in the court, but I do not know of my own knowledge, except from newspaper reports; the newspaper reports invariably tell the district in which a prisoner has been arrested. I may say that the publication of the district in which a man has been arrested in Belfast is a very different thing from the publication of a like fact with regard to any other town I know. The party feeling which exists in Belfast is so intense and runs so high, that all of one particular creed live in one district; all of the other creed live in the other parts of the town; thus the locality where a man has been arrested gives a cue as to his religious and political views.

1220. *Mr. Sexton.* Those particulars then being given, enable the justices in any particular case to decide, before the case is heard by them, with tolerable accuracy to what party the man belongs?—I would say that that is so in 90 per cent. of the cases.

1221. Does it frequently happen that the legal practitioners in court object to the adjudication of the case by local magistrates?—Yes, that is when the cause before them is one of a party complexion; the legal practitioners very often object

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object to the borough justices adjudicating in cases in which a party question is involved.

1222. Are there 17 members of the town council upon the local bench?—I will not say that that is the exact number, but I think that is about the number.

1223. Have the town council a direct financial interest in fining the prisoners in certain cases instead of imprisoning them?—Yes. About 14 or 15 years ago (I think it was in the year 1872 or 1873; I cannot say which, but the records of the town council ought to show) a deputation, either formally or informally, from the town council waited upon the then resident magistrate of the borough, Mr. J. C. O'Donnell, and asked him in future to impose a fine rather than inflict a term of imprisonment. The local board has an interest in the fines thus levied, as they go into the borough rate, and I believe that the amount by which the borough rate was enriched last year by the operation of this system was something like 3,000 £.

1224. Does this, in your opinion, operate against the interest of public order by leading to the imposition of fines in cases where a term of imprisonment would be more suitable?—I can only say that a remarkable coincidence occurred. After the time I am speaking of, namely, 1872-73, the local magistrates began to attend with much greater regularity and in much greater numbers than they had done heretofore. I do not know what the object was; they may have been prompted by the purest motives; at any rate, I know it happened coincidently with the waiving of that deputation upon the resident magistrates, and my impression is that the local magistrates attended there in order to have their view carried out, of having a money penalty inflicted instead of a term of imprisonment.

1225. Do you think, then, that on the whole it is essential in the interest of respect for law that the borough magistrates should be superseded in adjudication upon the bench?—So far as adjudicating upon cases in the Court of Petty Sessions, I think they should be superseded. I certainly have no objection to gentlemen having the honour of the Commission of the Peace.

1226. *Chairman.*] Would you answer Mr. Sexton's question, please?—Then I say, yes.

1227. *Mr. Sexton.*] Do you approve of the proposal of the Bill to appoint one or two police magistrates; and would you prefer one, or two?—I think it is most necessary that that proposal in the Bill should be carried into effect, and that two trained magistrates should be appointed. I think, considering that Belfast is the third town in the empire in point of revenue, we should be at least put upon a level with very many cities and towns in Great Britain and with Dublin in Ireland, where trained men are appointed to administer the law.

1228. Do you consider that in times of disturbances hereafter the local justices should not be allowed to interfere with the direction of the police and troops in the streets?—For the interest of the rioters I would say they should not be permitted to interfere. I will explain what I mean by saying that I am convinced that the loss of life which disgraced Belfast last year was due directly and mainly to the interference of the local magistracy. The police were attempting on one occasion to quell a disturbance and disperse the mob, when, at the instance of two or three local magistrates, the police were withdrawn from before the mob into the barrack.

1229. *Chairman.*] Where was that?—In the Shankhill-road.

1230. What was the date?—The 9th of June.

1231. *Sir James Corry.*] Were you examined before the Royal Commission? I was not. Then while the police were being withdrawn from before the mob, they had to run the gauntlet of the mob.

1232. *Mr. McConnell.*] Are you speaking of what is within your own knowledge, or of what you have been informed?—I am speaking of what was deposed to before the Royal Commission.

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1233. Mr. Sexton.] Is that incident of the 9th of June the incident to which the Commission in their Report attribute the continuance of the riots?—Yes; the riots would have subsided had the police been permitted to disperse the mob at that time, but when the police withdrew within the barrack (and this is a matter with which I am acquainted) the barrack was attacked by the mob; then the police fired from the barrack, and nine persons were shot; and the shooting the nine persons was what led to the continuance of the rioting; and the withdrawing of the police was due to the interference of local magistrates; that is all I know of my own knowledge.

1234. That led to the firing from the barrack?—And the firing from the barrack to the continuance of the riot.

1235. Do you think that the two police magistrates ought to be confined, as the Commission remarks in their Report, entirely to their judicial duties?—I do not think that men trained in the law only have any special power or knowledge of administering public duties in the way of quelling a riot.

1236. Do you believe they would administer the law more satisfactorily if they had no connection with any other duty than that of adjudication?—(Undoubtedly; and there would possibly be greater uniformity in their sentences, which would be a very good thing. According to the records of the Belfast police court very often a man will be before the bench of magistrates on Monday charged with the commission of a certain offence, and the punishment will possibly be a week or a fortnight's imprisonment, with the option of a 40 s. fine. On Tuesday a man comes up under exactly similar circumstances, charged with an exactly similar offence, and, may be, his punishment will be three months' imprisonment without the option of a fine, owing to a variation in the constitution of the bench.

1237. Then you agree with the Report of the Commission that the varying character of the tribunal renders the punishments unequal at the time when it is most desirable that they should be equally severe?—That is so; and in saying that I do not charge the magistrates with any party bias; it is because the tribunal is varied that the sentences are various.

1238. There is a proposal in the Bill to appoint a watch committee. Out of the 200 witnesses examined before the Royal Commission, you say in your notes that there were only three, who were themselves members of the town council, who approved of this proposal?—I can say that there were but three who approved of this proposal; and they were not unanimous in their view; they differed amongst themselves.

1239. Chairman.] Were you present at every meeting of the Royal Commission?—I was not; but I read the reports of the examination of the witnesses.

1240. We can all read the reports, for the matter of that?—It is because I believe the reports to be accurate: that I repeat what they say, and, believing that report to be accurate, I say that but three persons out of 200 approved of the recommendation as to the appointment of a watch committee.

1241. Mr. Sexton.] What do you say with reference to the proposal?—I would say, do not do it.

1242. Why?—There are a variety of incidents which point to its undesirability.

1243. Will you give the principal ones briefly?—The incident of the 9th of June last year affords perhaps the main reason; divided authority rendered Belfast a pandemonium during the summer of last year. The Commissioner of Police for the borough of Belfast ought to be responsible for the preservation of peace, and the protection of property in the borough. He cannot be responsible if his actions are curtailed and hampered and thwarted by an outside and irresponsible body.

1244. Then you support the recommendation of the Royal Commission that summary powers should be given to the person having the responsibility of the Queen's peace in the town of Belfast?—I do, and that in the interests of order; for there would be less bloodshed if vigorous measures were taken at once.

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1245. The town council once had control of the local force, had they not?—I have no knowledge of that; I am only 33 years of age, and that force has been abolished 22 years or so, so that I do not recollect anything of it; it was abolished a few months after I came to Belfast.

1246. Seeing that it is proposed to relieve the local justices of their duties upon the bench, do you consider it desirable that the same body of justices should receive, by six of their members, controlling power from the watch committee, being enabled to get reports from the Commissioner of Police, or to pass an opinion upon him in return?—I think the Commissioner of Police should report to his superior officer only, and if necessary to the Ministers of State who have the conduct of the executive in Ireland, and to no others.

1247. Do you think the local elements in Belfast allow of the formation of any body in the nature of a watch committee which would command general confidence?—If a committee were formed upon which all parties could be adequately represented in proportion to their number, I daresay such a committee should exercise a mollifying influence in times of political or religious excitement; but we have the history of Belfast for 43 years before, and though I have not a knowledge of all that period, I am informed that but two Catholics have ever sat at the Belfast Corporation Board, and that for very brief periods. Under those circumstances I argue that one-third of the population being Catholics, they would practically be excluded from the deliberations and the action of the watch committee. I do think a committee so constituted would be suited to the circumstances of Belfast as we know them.

1248. *Chairman.* Are you saying that in spite of the extension of the franchise?—The extension of the franchise, which opens up another question, will not make one whit of difference in the constitution of the Belfast Town Council Board.

1249. But you are speaking of the municipal board?—Yes; of the town council. So long as the wards remain as they are at present divided in Belfast, exactly the same kind of persons (they may be of a different social order, but the same kind of persons) will be returned to that board; I do not hope to see a single Liberal added to the two that are there, and I have not the least hope of a solitary Nationalist being added to the number.

1250. *Mr. Sexton.* Have you read the fourth clause of the Bill?—I read it in the newspapers.

1251. Do you consider that the powers proposed in the fourth clause of the Bill ought to be exercised by someone?—Yes. I consider that these powers ought to be exercised by someone, and I hope they will be by the Commissioner of Police alone, the man who is responsible to the State and to his superior officers alone for the maintenance of peace.

1252. Do you consider that the Commissioner of Police could effectually exercise his functions if those powers were confided to persons over whom he has no control?—There would be division in very many cases; there would be divided authority and divided counsel, and in the division of authority, and the division of counsel, there is very great danger to the town in respect of its peace.

1253. Would the watch committee, as you understand from the Bill, be responsible to any public authority?—They may be responsible to Parliament, but Parliament has quite enough on hand without having the Belfast watch committee to look after. I have an idea that to effectually mind them would monopolise a good deal of the time of Parliament, and that is not desirable at the present time.

1254. But if the Police Commissioner had these powers, he would be responsible to the Government, and they would be responsible to the House of Commons?—Exactly.

1255. Do you consider that would be more satisfactory?—Yes; the Commissioner of Police would be responsible, not to the House directly, but to his superior, the Inspector General, and through him to the Government and the House.

1256. Therefore you are resolutely opposed to the appointment of any watch committee?—Decidedly.

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1257. Now

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1257. Now with respect to the compensation for damage, it is proposed by the Bill to give a divided jurisdiction, to allow the town council to give compensation for injury to property, and the watch committee for injury to the person; what do you say to that?—I should say such powers should not be given to either body.

1258. *Chairman.* Do you mean neither for property nor for life?—Neither for injury to property nor for injury to the person; and one reason for my saying so is that the corporation have no power to summon witnesses; therefore, if they were ever so anxious to get to the bottom of a case, they could not get to the bottom of it as the law at present stands. I go a bit further and say, that in the nature of things, they being, as it were, a party to the cause, should not be permitted to adjudicate upon it. They, as the custodians of the public fund out of which such damages would naturally come, could not be expected to approach the consideration of the question with unbiassed minds. Then I may say that there is another feature not provided for, which, I think, should be taken notice of by the Committee. I think that for property which has been looted damages should be recoverable as well as for that which has been wantonly and maliciously destroyed.

1259. That is in the Bill?—Yes, but I want you to adhere to it; it is not in the present law.

1260. *Mr. Sexton.* Under the Bill it is "property injured, stolen, or destroyed;" do you raise a distinction between property stolen, and property openly carried away?—I do not think such a distinction should be raised, but if such a distinction is raised, I think a word should be placed in the Bill to cover the openly carrying away of property.

1261. You think the word "stolen" would not cover it?—It may, or it may not; I heard the learned counsel for the Belfast Town Council, Mr. Orr, state to the Riots Commission that compensation could be obtained for property which had been looted. The corporation held a meeting shortly afterwards to adjudicate upon claims, and, strange to say, they forgot entirely the statement made to the Public Commission by their counsel, and refused to give any compensation whatever for property which had been carried away. I saw myself a hogshod of porter being rolled away out of the house of a widow woman, Mrs. O'Hare, whose house was wrecked, looted, and burst on the Shankhill-road; I saw hams of bacon being carried away, bottles of sweetmeats, confectionery, and everything, no matter how great, or no matter how small, carried away, yet the rapacity of the mob was not satisfied; and I would ask that a word be inserted to cover "openly carrying away," lest by a technical quibble it should be held that when they were openly carried away they were not stolen.

1262. The Royal Commission recommend that an entirely independent tribunal, such as a Government or other arbitration, be formed to deal primarily, and in the first instance with claims for compensation for injuries both to property and person; what do you say to that?—I think it would be a troublesome procedure, and an unnecessary one. I think in Ireland if we have anything to complain of it is that have too many tribunals; we have a Court in which we have absolute confidence; I refer to the Recorder's Court. I think that should be the Court of first instance to which claims for compensation should be made, with the right to appeal either on the one side or on the other to the next going Judge of Assize.

1263. It is objected as regards the Recorder that he would not be a proper tribunal to act without a jury; is it not the case that in his ordinary jurisdiction he continually deals with the property of the citizens to a great extent?—Yes, largely without a jury; I do not think it would be any hardship to give a discretionary power to the Recorder in cases where he deemed it essential to have the advice of assessors, to give him the power to appoint his assessors, or one for each side, to be chosen by the parties, and the two to appoint the third. I think such a body would give possibly even greater confidence in the event of appeals.

1264. Does not it occur to you that if the administration of justice were strengthened

strengthened by relieving the borough justices of their duties, and appointing paid magistrates, if the Commissioner of Police obtained the large powers for the prevention of disorder, contained in the 4th clause, you would possibly have very few claims for injury in Belfast?—As a ratepayer I hope there would not be much trouble, and I hope that it would go to minimise the causes of disturbance in Belfast. At the same time I would rather not prophesy; the mantle of Eljib has not fallen on me. I am, however, of opinion that it would lessen the likelihood of riots in the future.

1265. An intelligent Commissioner of Police exercising the powers of the 4th clause would forestall riots?—I should think so, if he were an intelligent Commissioner.

1266. Do you think that the two paid magistrates ought to be taken directly from the bar, and ought to hold office during good behaviour, or should they be taken from the resident magistracy, removable at the will of the Lord Lieutenant, to be drafted as occasion might require into the ordinary magisterial service elsewhere?—I should very much prefer that practising barristers were appointed for a variety of reasons. The tenure of office by a resident magistrate in Ireland is somewhat insecure; that makes it his object to make unto himself friends of the mammon of unrighteousness against the day of wrath.

1267. Does not it occur to you that a magistrate appointed for life at Belfast might through his own action, or the action of others, find the situation unpleasant and perhaps untenable, and that it might be desirable to give power to the Executive Government to replace him by another?—That is a matter upon which I entertain no strong feeling; I would only object to any of the present staff of resident magistrates in Ireland being sent to Belfast for the performance of duty there.

1268. Why do you object to them?—Their record for the past has not been such, I think, as would conduce to the promotion of respect for their tribunal. I have no other objection to urge against it. It is in the interest of law and order that I make this suggestion.

1269. Do you attach any importance to the argument used here yesterday that the removal of the local justices from the bench would lower their status, or do you think that their opinion of their own status is a matter immaterial compared to the preservation of order?—I think, dealing with the second question first, that even if their social status were somewhat reduced, the better preservation of order would be an advantage to the common weal; but I deny that their status would be reduced, or that they would be in any way humbled by being relieved from one set of functions now attaching to the office which they are permitted to discharge by the grace of Her Majesty and her advisers.

1270. You do not think that their status would be lowered in Belfast by this proposal, any more than the status of the magistrates has been lowered in Dublin and elsewhere?—Certainly not. There are a number of magistrates to be examined who will tell you that even if the change did involve a certain loss of dignity upon their part they would be prepared to make that sacrifice.

Examined by Sir Richard Wyatt.

1271. Would you kindly state your vocation; what are you?—My vocation at present is that of Secretary of the Protestant Home Rule Association of Ireland.

1272. Have you held that office long?—I have held it since Mr. Gladstone introduced his Bill for the better government of Ireland.

1273. Before then what were you?—Before then I was a draper's traveller.

1274. A commercial traveller?—Yes, and before that I was a heckler.

1275. May I ask if that occupation took you much away from the town?—Which of them do you refer to?

1276. Either of them, either as traveller or heckler?—No; I am in Belfast, on the average, five days every week.

1277. Your last answer would perhaps render unnecessary my proposed next question, which was this: you are not a magistrate, I think?—Certainly not.

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1278. Are you in any way connected with the Corporation?—I am not, indeed.

1279. I understood you to say, in answer to many questions put by the honourable Member, that you had acquired your information to enable you to give evidence before this Committee chiefly from newspapers and from what you have heard from other people?—Not chiefly; I would admit "largely," but not "chiefly."

1280. I do not wish for a moment to impute to you anything wrong, but you very candidly said, before answering many of the questions, that you did not speak from your own knowledge, but rather from what you had gleaned from the newspapers, and also from inquiries?—That reply was made to a number of questions, but not to the larger number of the questions.

1281. You offered an opinion upon the conduct of business in the different courts; have you frequently attended those courts?—Occasionally I have.

1282. Only occasionally?—Yes, only occasionally.

1283. I do not mean in any other capacity than as a spectator?—As a spectator or as a witness.

1284. Mr. *Sutton*.] You have never attended in any other capacity?—Never.

1285. Sir *Richard Wyatt*.] Could you say how many times you have been in court in the course of a year?—Probably in the course of a year I may have been in court 150 times. I know a great many legal practitioners and would go to the most accessible place in order to see them, staying there perhaps an hour or half-an-hour while the business is going on.

1286. Having regard to your vocation, I suppose the county court occupies your time more frequently?—No. I may say that my previous reply should have prevented the necessity for asking that question. I never was in a court of justice in the capacity either of plaintiff or defendant.

1287. Then may I venture to ask if it was curiosity that led you to go?—I have told you how it was, wanting to see a practitioner with regard to business outside legal business.

1288. Having been summoned to give evidence here upon this Bill, may I ask how you acquired the knowledge which enabled you to speak to the provisions of this Bill, because I have just noticed that you said you have not read the Bill?—No, you did not notice that exactly; my statement was that I had read the Bill as it was printed in the newspapers, but I have not read it if it has been amended since then; but I think Mr. *Sutton* intimated that it had not been to any extent amended in the meantime, so that I have read the Bill practically as it stands.

1289. In what newspaper did you read it?—A Liberal Unionist newspaper which I have read for, I suppose, nine-tenths of my life, the "Northern Whig," of Belfast.

1290. *Chairman*.] Of what date?—Of practically every day when I can get it.

1291. I am asking you the question for the specific reason that I saw the other day in one of the newspapers a copy of the Bill issued which was entirely different from that issued from this House; was it the first issue which appeared at Belfast, or a subsequent one?—To the best of my belief, I am not speaking with certainty, I read the Bill but once, and that was the first issue.

1292. That would be very natural that you read the first and not the second one?—My impression is that it is likely. I would read the first issue of the Bill in the local newspapers.

1293. Sir *Richard Wyatt*.] You did not feel it necessary to read a copy of the Bill itself before coming to give evidence?—I had not a copy by me; if I had I should have read it.

1294. I simply wished to know whether you had read the Bill itself?—I said that I had read the Bill itself, as published in the newspapers.

Examined by Mr. McConnell.

1295. You told the Committee that part of your interest in this matter arose from your being a ratepayer; to what extent are you a ratepayer?—May I say that I am not directly a ratepayer in Belfast, that is to say, in Belfast for all houses under 10 *l.* valuation, indeed, in some cases above 10 *l.* valuation, that is to say, a house of 16 *l.* or 17 *l.* annual rent, the rates are included in the rent which is paid by the tenant weekly, monthly, or quarterly, as a matter of arrangement with his landlord.

1296. Then are you a compounding tenant?—That may be the technical term; I have described the fact.

1297. What would be your rent, including the rates?—My rating at present is—

1298. But the rent, because that includes the rates?—My present rent is 13 *l.* a year.

1299. That includes the rates?—Yes.

1300. You spend a good deal of your time in the courts; according to your own statement, 150 times a year you are in the courts; that is every other working day?—I daresay that would be about it.

1301. And you spend half-an-hour to an hour in the court during those days?—No, you did not catch my answer; I said I frequently sat half-an hour or an hour with the person whom I went to see; sometimes longer, and sometimes for a few minutes only.

1302. Was that in the police court?—Generally in the police court, and occasionally in the quarter sessions, but not often.

1303. Were you present at any of those dozens of cases that you were speaking of, in which the decisions, according to your opinion, were inconsistent?—I was present at some of them. I was present I remember very distinctly on one occasion; I referred to it in my direct evidence. I had been requested to go to testify as to the previous character of a person who had been arrested on a charge of rioting; he knew me to have no sympathy with rioting, but I knew him to be a decent man. I heard a number of cases adjudicated upon, and I was forced to come back again upon another day, because the case was adjourned.

1304. Was the court under the presidency of a resident or a lay magistrate; who was the chairman?—At this moment I think it was Mr. Garduer, the resident magistrate.

1305. What fault have you to find with the resident magistrate; were his punishments too heavy or too light?—I am not going to pronounce an opinion upon whether the punishments were heavy or light; that is not my function. They were not uniform punishments; that was what I took exception to generally.

1306. You thought that you could have decided them with greater uniformity?—I think that any man could; it is because the bench varies that the sentences are not uniform; so that any one individual could do it.

1307. *Chairman.*] If you had not been interrupted by the learned counsel you meant to say that when you went back upon the second day, when you heard the sentences given, they varied considerably from those given upon the previous day?—That was so.

1308. Mr. McConnell.] And the circumstances varied probably?—To my mind they were equal, but mine is only a lay opinion.

1309. Mr. Campbell.] What was the composition of the bench upon the second day; was the resident magistrate presiding?—Yes; there were three or four cases on, and the sentences were very light the first day, there being then the resident magistrate and one local magistrate on the bench; on the second day there were the resident magistrate and three or four borough magistrates, and the sentences were heavier.

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1310. Mr. *McCConnell*.] You referred to Mrs. O'Hare who had a barrel of porter trundled out of her house; did she get compensation?—I cannot say exactly; I know that compensation was refused for looted articles.

1311. Are you aware that the person, Mrs. O'Hare, to whom you have referred, got from 750 *l* to 800 *l*. compensation?—Yes, I know she got that amount; but would the Committee permit me to say that that woman had an extensive business; she had consequently extensive premises wherein to conduct her business; those premises were burnt thrice; they were absolutely gutted; they had to be rebuilt largely; under those circumstances I do not know that 700 *l*. or 800 *l*. included one farthing for that which was looted; it was probably simply compensation for what was destroyed.

1312. In this particular case you do not know whether the 700 *l*. or 800 *l*. included what was stolen or not?—In this particular case I do not know that. But the Committee may permit me to make this explanation that I fancy that case was governed by general principles.

1313. Mr. *Seaton*.] I suppose you are aware that the present law will not allow that compensation?—I know that the present law as interpreted will not allow that compensation. I fancy that case was governed by general principles.

1314. Mr. *McCConnell*.] You propose that all these matters should go before the Recorder?—Yes.

1315. Are you aware that the recorder's time is pretty fully taken up by his other duties?—Yes, his time is fully taken up, but that is because the recorder is at the same time chairman of the county court. I do not know that there is any necessity for that arrangement.

1316. Are you aware that he has been obliged to apply to be relieved from the revision of a forthcoming list of voters on the ground that his time is taken up already?—I am not surprised to hear it, but I was not aware of it.

1317. You propose that in going before a judge the claimant should have an assessor to sit by his side, and that the corporation or the defendants, whoever they were, should have another?—Yes, and the two to appoint an umpire.

1318. What is to become of the recorder?—They may appoint the recorder as umpire, or they may appoint an umpire for consultative purposes, besides the recorder.

1319. Then each claimant would have a separate assessor upon the bench; that is your proposition?—That each claimant "may;" that is the word.

1320. Mr. *Lawson*.] You say the Recorder's Court commands the confidence of the entire Belfast community?—As far as I know I never heard a word to the contrary.

1321. Without respect to creed?—Without respect to creed or politics

1322. Mr. *Pictou*.] Have you much means of knowing the feeling of the Protestant party in Belfast?—I have lived for 22 years in Belfast; I have worked in a very large number of large workshops in Belfast where Protestants and Catholics work together; I have been for many years a member of my trade society, consisting of 1,200 or 1,400 members, and I was for many years connected with a larger trade organisation, namely, the Trades Council of Belfast, and in all these various ways I was brought very much into contact with working men.

1323. Will you undertake to say that there would be many Protestants in the town who would sympathise with the views you have expressed to-day, and that they take the same views of the situation and the facts as you do?—I can speak for all the Protestants who are in favour of the settlement of the Irish question upon the basis of Mr. Gladstone's proposals; if you want me to tell you how many of those there are, I will try and do so; I suppose there would be within the borough of Belfast about 800 such.

1324. Protestants?—Yes.

1325. Who would take the same view as you have expressed?—Yes; indeed there

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there is the vice president of that association here, who will tender evidence to the Committee.

1326. *Sir James Corry.*] You stated that you had had very long experience of the feeling of Belfast with regard to several matters which you have put before this Committee, and that the evidence you have given here to-day represents pretty much the feelings of the classes that you represent?—I do. I speak the mind of the persons whom I represent, that is, of those Protestants who favour Mr. Gladstone's proposals, that is the class I represent; I want it to be distinctly understood that I set up no claim at this moment to represent any other class.

1327. That is to say, only the class who go under the designation of Protestant Home Rulers?—Exactly.

1328. You say you are of opinion that that number is about 800 out of a population of 150,000 or 160,000 Protestants?—That is what I have said. I might, however, say that there are very many who are not members of our association, and, therefore, in whose name I do not speak, who are in accord with us in this matter, but who dare not openly avow themselves upon the question.

1329. Am I to understand from you that all the Roman Catholics in Belfast are Nationalists?—I do not know an exception beyond one or two.

1330. You stated that upon the different boards of the town there was only one Roman Catholic?—As far as I know, Mr. James Callaghan, of the water board who is an elective member; I also said that there were some *ex officio* Catholics at the board of guardians.

1331. You stated that there were only two Unionist Liberals upon the town council?—Yes.

1332. Do you think there are any Liberals upon the harbour board?—A considerable number are, but any who are at the harbour board, such as Mr. Musgrave, Mr. Murray, and a number of others, are men of such great influence, they being very largely interested in the shipping trade, that they could scarcely be overlooked; besides, that is not exactly a public board in the sense of the other three. I need hardly tell you that.

1333. Why not?—I do not know the franchise for that board. Mr. McClellan, who is a solicitor, will tell us that he does not know.

1334. We will get Mr. McClellan to speak for himself; it is the first time I have heard that Mr. Musgrave was a shipowner?—I said he was interested; he is interested as a shipper, not a shipowner. I venture to say that a man may be interested in shipping without being a shipowner.

1335. You approve highly of the recommendation of the Riot Commissioners, and also of the clause in this Bill which withdraws from the borough magistrates all jurisdiction upon the bench?—I approve of them very highly.

1336. Do you think that that opinion is shared in largely by the inhabitants of Belfast outside of the Home Rule Association?—I suppose not very largely outside those who are Nationalists, or those who sympathise with Nationalism; indeed, I should be surprised if it were from my knowledge of the history of Belfast.

1337. Is it the fact that the local justices in Belfast are very largely interested in the prosperity of the town?—I have no doubt of that, especially as far as it relates to themselves.

1338. And also as far as relates to the welfare and prosperity of the town generally?—I have said that I have no doubt of that, but especially as far as relates to themselves.

1339. Do not you think men who are interested largely in the welfare of the town are likely to be very anxious that everything should be done to promote the peace and prosperity of the town?—I could understand the public interest clashing with the private, and I always admire a man who allows his private interest to go to the wall in order that he may subserve the public; it is not, of course, given to every man to do so.

1340. Is it in the interest of the large ratepayers that 7,000 l. or 8,000 l., or perhaps a larger sum than that, should be charged for damages upon the rates?—In many cases it may be. I want to point out that probably a considerable amount

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amount of that is derived indirectly from fines imposed in the police court for offences that were occasioned by that very thing.

1341. Is it the law that those fines should be imposed in place of terms of imprisonment?—Yes, the law graciously allows the option, but in many cases it is decidedly imprudent to allow it.

1342. You think imprisonment is better?—It is very much better for the peace of the town.

1343. And you say that your experience of police courts is that the sentences are very unequal?—Yes.

1344. The charges upon which those sentences are given being generally the same?—When I was speaking of inequality of sentences, I was speaking of charges which were to my mind, being a layman, practically equal.

1345. Are you aware that in every borough in England and Scotland, and in Ireland, too, except Dublin, the borough magistrates sit on the bench with the resident magistrates?—I am not aware that in all the boroughs in England and Wales they do so, except by courtesy. I know that in very many they do, but I know that the same state of things does not exist in those boroughs as unfortunately exists in Belfast.

1346. Would you compare the state of circumstances in Cork to the state of circumstances in Belfast?—I do not think I would.

1347. You do not think the Protestants in Cork would have the same reason to complain as the Nationalists in Belfast would have to complain?—No.

1348. You think they are more liberal minded?—I was just hearing the story of a Protestant—

[Chairman.] We must not hear stories.

1349. [Sir James Corry.] You say that the impression exists that justice, as dispensed in the local courts of Belfast, is sometimes not either according to law or to equity?—That impression exists very largely.

1350. Does that impression not exist sometimes on the part of the Protestants as well as of the Nationalists?—Clearly.

1351. The impression is not confined to one party?—No; but it exists chiefly on the part of the Liberal Protestants, I should say.

1352. I suppose that no one who is brought up before a police court thinks he gets justice?—I am not speaking of the culprit; I am speaking of the impression created in the public mind.

1353. Are you aware, as has been stated before this Committee, that the local magistrates, as a rule, do not go to the court except on the day upon which they have arranged to go?—I know they have an arrangement, but I know that the arrangement is not always observed.

1354. Are you aware that the resident magistrates send to gentlemen upon the local bench, and ask them to take their place?—The resident magistrates should know the day upon which the several local magistrates should attend and secure the attendance of these men.

1355. You say that there are 17 members of the town council who are borough magistrates?—I do not bind myself to that; I said "practically."

1356. Then you spoke of your knowledge of the police courts in 1872 and 1873, when a deputation of local magistrates, or the town council—?—You have not caught my reply.

1357. I want to ask you this question: In 1872 or 1873 you state that a deputation went from the town council to the magistrates, asking them to inflict fines in place of terms of imprisonment, because the fines went into the borough rate?—I said that such an impression existed, and that the coincidence of increased attendance in future led to the impression that the one was the outcome of the other.

1358. When were the borough magistrates constituted?—I really do not know.

1359. Do you know that it was after 1868?—I do not know that it was after that time.

1360. You think that if it had not been for the interference of the local magistrates

magistrates in the streets the riots would not have continued as they did?—Such is my impression, I regret to say.

1361. Do not you know that a number of the borough magistrates, as was testified to by the evidence, assisted the Roman Catholic and Protestant clergymen, and were thanked by them for the assistance they gave them in quelling the disturbances?—I am quite prepared to take my theology from a Presbyterian clergyman, but I would not take his opinion upon a matter of fact in preference to my own impression.

1362. *Chairman.*] But I beg you would answer the question which was put to you. The honourable Member asked you whether you did not know that the borough magistrates had been associated with ministers of religion in quelling the disturbances, and that they were thanked publicly for their services on that occasion?—I know they were associated with the clergy, and that they were thanked for their services.

1363. *Sir James Corry.*] You said that you were aware that the borough magistrates induced the withdrawal of the police?—I heard them testify to that.

1364. Where did you hear that testified to?—I heard it testified to by the police officers at the Commission where Mr. Justice Day sat. I think Mr. George Horner and Mr. Lavins Ewart were the two magistrates who the police officers swore induced them to withdraw their men.

1365. You disagree with the proposal in the Bill to constitute a watch committee?—Yes.

1366. Do you do that because your impression is that such a watch committee would not work satisfactorily?—Yes, it would not command the respect and confidence of the population, no matter how satisfactorily it worked.

1367. I thought you stated afterwards that if every party were adequately represented it might be made to work?—It might work and it might not; that is the length I go, if every party were adequately represented.

1368. Do you think that any watch committee would be considered responsible which did not represent the views of all parties?—I do not know what would happen.

1369. Do you think that the Recorder would be the proper party to assess damages in the case of a claim for compensation?—Yes, such is my impression.

1370. What technical knowledge would he have in a case such as Mrs. O'Hare's which would enable him to come to a better decision than the town council could?—He would have power to summon witnesses.

1371. Then the whole constitution would be changed?—I cannot say as to that, but I fancy that he would have discretion, as he has now, in civil cases.

1372. I understand you to say that you are quite prepared to hand over all the civil liberties of the people of Belfast to the Commissioner of Police?—Yes; I am sufficiently loyal to respect the constituted authorities.

1373. You are prepared to hand over all the liberties of the people of Belfast to the Commissioner of Police?—Certainly.

1374. You would allow him the power of proclaiming processions and bands, and everything of that kind?—Yes.

1375. And he would be absolutely a dictator?—I suppose that about describes the situation.

1376. *Mr. Seaton.*] Subject to Parliamentary control?—Yes, and to the control of his superior officer.

1377. *Sir James Corry.*] Who would be his superior officer?—The Inspector General of Police.

1378. You are also in favour, I see, of police magistrates in contradistinction to resident magistrates?—Yes, I am.

1379. Why do you say that all the resident magistrates of Ireland are incompetent?—I did not say they were incompetent.

1380. You did; you said you would not have any of them exercising jurisdiction.

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diction in Belfast?—I am afraid you did not take a verbatim note of my reply; I said, if I remember rightly, certainly what I meant to convey was, that if they were appointed they would not command the respect and confidence of the people.

1381. *Chairman.*] You went farther than that. I quoted your own words to you after you uttered them, because they were so peculiar that I thought I had made a mistake?—I went further than that. I said that in my estimation it would be much better to have a man who had had a legal training and was practising law, but I did not say the resident magistrates were incompetent.

1382. *Sir James Corry.*] Are you aware that there are a considerable number of the resident magistrates who have studied law?—I am aware of that.

1383. But I take it that the general representation of the party you represent is that they distrust all resident magistrates?—Yes, exactly.

1384. So that we can measure that ourselves?—Yes.

1385. *Mr. Lawson.*] I wish to ask you a question arising out of Sir James Corry's question with regard to the city of Cork; in your experience of Ireland do you know a single city or town in Ireland where the houses of Protestants have been looted or destroyed by Catholics on account of their religious faith?—I have no such experience.

1386. *Chairman.*] Will you tell Mr. Lawson what your experience is?—It is but honest to say that my experience has been chiefly gained in Belfast.

1387. *Sir James Corry.*] The houses that were wrecked in Belfast were chiefly the houses of publicans, were they not?—I should say chiefly, but not by any means entirely. I am myself a Good Templar, and I was informed that my house was on the agenda; there was a regular order of business drawn out, but the shooting on Bowers Hill that evening prevented their discharging the orders of the day. My house was one of the orders of the business of the day, I was creditably informed so by a workman in Combe's factory, and I was advised to remove my wife and children.

1388. Did you see the agenda paper?—No, I did not; I said I was informed of it.

1389. But that is a very different thing from positive knowledge?—I said I was told that my house was on the agenda paper.

1390. Are you not aware that in these times of excitement a great many stories are flying about for which there is not a particle of foundation?—They are flying about, but they are not flying about at the hands of such persons as my informant. I might mention a matter which came within my own observation; this is in reference to Mr. Lawson's question; he asked me if in my knowledge Protestant houses had been wrecked and looted by a Catholic mob. I may say that with Mr. John Ferguson of Glasgow I visited while the riots were going on Fall's-road and the Shankhill-road.

1391. *Chairman.*] But Mr. Lawson's question was with regard to outside Belfast: have you looked at the Bill since you came into the room; and will you refer to Clause 10; do you approve of that clause?—Yes.

1392. That provides that any person guilty of an offence against the Act shall be liable to imprisonment, with or without hard labour, for six months?—I think six months would possibly be too high.

1393. I will leave out the six months, but I will ask you whether you would approve of that clause giving the punishment of imprisonment without the option of a fine?—I would approve of it if it were not possible that innocent people might be fined on a charge unsubstantiated.

1394. Then you think it right for an innocent person to be fined, though it would not be right for him to be imprisoned?—There would be a power of appeal in the case of a fine without immediate imprisonment.

1395. Then you do not hold entirely to your idea that imprisonment is better than fine for the peace of the town?—It is very much better if you have no fear of innocent people suffering.

1396. Would

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1396. Would you give the option of a fine or not?—I would reduce the term of imprisonment.

1397. I see; you would reduce the term in the case of the guilty ones, but you would give the option of a fine to the innocent?—Yes, in order that innocent persons might have the opportunity of appeal.

1398. You desire that guilty persons should be imprisoned?—I think that if the justices had any doubt in their minds they would inflict a fine.

1399. Is it the habit of the justices in Belfast to inflict a fine when they have a doubt, but to send to imprisonment when they have no doubt?—I really cannot say what is their habit.

1400. But you ought to know their habit, because you have been 150 times a year in the court, and you also say that the decisions of the local justices are not received without distrust by the people of Belfast; I do not wonder you say so, if that is the case?—Yes, I know that is my impression; and, by reason of the fact that innocent people will always be liable to wrongful conviction, owing to the fallibility of man's judgment, I would have the option of a fine.

1401. You stated that there was scarcely an arrest in certain parts of the town without there being certain persons who could influence the magistrates; did you wish to convey to the Committee that the magistrates were corruptly influenced in every case of arrest in certain parts of the town?—If I did convey any such impression I had no intention of doing so. I said the impression existed that that was done, and that the administration of justice was brought into contempt.

1402. But you do not say from your own experience, from being 150 times in the court, that that is the case?—I do not.

1403. You also stated that there was a magistrate in the room who was approached by some person; did you mean to convey that that magistrate was influenced?—No, I meant to convey that an attempt was made to influence him; that magistrate was not influenced in the least degree, though the attempt was made.

1404. And you object to the appointment of a watch committee, and to the sentences imposed by the bench, on many grounds; one being that the persons chosen from the town, being the guardians of the public purse, would be so interested in the finances of the town that they would not award proper compensation?—I am afraid of that; you are speaking of the proposed watch committee. I know the impression exists that that is the case.

1405. Do you consider that in the case of the damages arising out of the last riots these damages were improperly and unfairly assessed?—I know men who allege that owing to the law being imperfect they did not get 25 per cent. of the damage.

1406. You are a man who attends the police court 150 times in the year, and you have given your impressions very freely; I want to know, is it your impression, not from what other people tell you, but from your general information, that the damages claimed at the police court are unfairly assessed?—I never valued the damages myself.

1407. I ask you your opinion; it need not be all liquor. You talked about sweetmeats and other things; would you wish the Committee to infer, as you have to a certain extent by your previous answer inferred, that the assessing body did not award the damages in a proper spirit, or giving sufficient damages?—I am certainly of opinion that they did not give sufficient damages in several cases.

1408. Mr. *M'Connell*.] Could you name a case in which that was so?—I would refer to the case of Mr Hassan, who is a very large publican in Belfast.

1409. *Chairman*.] You would entirely disagree with the opinion of some witnesses who have given evidence to the effect that it is rather a profitable thing to have your house looted in Belfast; one man is spoken of as having had his house looted repeatedly; whenever there is a Sunday excursion he

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comes up for compensation?—I would certainly disagree with those who say it is a profitable thing to have your premises looted.

1410. Mr. Mc Connell (through the Committee).] Could you quote any specific case in which, in your opinion, the charges and offences were similar, but the punishment different?—At this lapse of time I could not reply to that question. I have not the data to go upon.

REV. JOHN TOHILL, called in; and Examined.

1411. Mr. Sexton.] You are Professor in St. Malachy's College in Belfast?—I am.

1412. And you are joint Honorary Secretary of the Catholic Committee?—I am.

1413. What is the Catholic Committee?—The Catholic Committee is a body of Catholic gentlemen formed at the outbreak of the riots last year to look after the interests of Catholics during the riots, and then, when the Commission was announced, to prepare evidence, and to lay the evidence for the Catholics before the Commission. The committee was continued in view of the legislation which we expected would be the outcome of the Report. I am still one of the honorary secretaries of that committee, and any remarks I have to make upon the Bill are in entire accord with the views of the Catholic body, both of the bishop and the clergy and of laymen, I suppose, without any exception, or at least not more than two or three, who may differ in politics.

1414. Do the Catholic committee generally, and the Catholic body generally, adopt the recommendations of the Royal Commission?—Yes, we thoroughly agree with the recommendations of the majority Report.

1415. Do you approve of the proposal to relieve the borough justices from adjudication upon the local bench?—Most certainly. My reasons briefly are, firstly, everything in Belfast hinges upon the creed or religion to which you may belong; the Catholic body have no confidence whatever in the administration of justice by borough magistrates in party cases. Some of the most prominent magistrates are prominent Orangemen, and the general belief of the Catholic body is, that men who hold such strong anti-Catholic views in the Orange lodges cannot change their nature on the bench and look at a party case impartially; secondly, there is a general impression amongst the Catholic body that the Protestant borough magistrates use their position on the bench to diminish the punishment in cases of Protestants who are charged; thirdly, I believe that there is a want of uniformity in the decisions upon similar cases; and in support of that general view held by the Catholics, I respectfully refer the Committee to the evidence of other gentlemen outside the Catholic body who were examined at the late Commission of Inquiry; I refer you to Questions 4132-6.

1416. Chairman.] Is that in the examination of Colonel Forbes?—Yes.

1417. Mr. Sexton.] Do you wish to refer to that evidence in detail?—No, simply to point out how far that is held to be the case. Again, in answer to Question 4299, you find Colonel Forbes giving expression to the same belief, and in the evidence of Mr. Cullen, a divisional magistrate and Assistant Inspector General, at Question 1197, he states that there is substantially no confidence upon one side in the borough magistrates. In the third place, I would refer to Inspector Townsend, now a resident magistrate, a Protestant, who has been eight years in Belfast; you will find his opinion expressed at Questions 1503 to 1509. The next reference is to the opinion of Mr. Bull, an Assistant Inspector, and a Protestant, who has been six years in Belfast, at Question 2064. The next reference is to the evidence of Mr. J. S. Brown, a borough magistrate, recently deceased, at Question 8943 to 8946, in which he says that party feeling also reaches the bench in regard to certain subjects. I may add

add that another reason why the Catholics have no confidence in the administration of justice in party cases by the borough magistrates is the fact that they have no proportional representation as far as attendance goes in the courts. I believe there are perhaps 11 Catholics, holding the commission of the peace for the borough of Belfast, and between 60 and 70 of the Protestant denomination. Now, of the 11 Catholics, there are six who seldom attend. Mr. Keegan and Mr. Hughes, I think, seldom if ever attend. Mr. Caffrey does not attend, and Dr. Harkin, who is medical doctor to the Constabulary, does not attend; Mr. Richard Mulholland does not attend, and Mr. William Close, who was appointed some time before the riots broke out last year, I think, had not attended more than two or three times upon the bench before Commission of 1886. The Catholic body also feel that the decisions in the Petty Sessions Court, inasmuch as they affect the poorer classes, are a source of much misery. If the poor believe they are aggrieved by a sentence, they are unable to appeal, and have the proper legal advice. The Catholic body also feel that the borough magistracy is an honorary dignity, held for the common good, and we think that once public confidence ceases in it, it is no great grievance if the gentlemen holding it for the sake of the public good relinquish their position in the Petty Sessions Court.

1418. For the reasons you have given you think it indispensable that the borough justices should cease to adjudicate in the court?—Yes, in order that any confidence on the part of the Catholic body should exist in the adjudication of party cases in Belfast.

1419. Do you approve of the tribunal proposed to be constituted by the first clause?—Yes, two paid magistrates.

1420. Would you take them from the bar direct, or would you take them out of the ranks of the resident magistrates?—I would prefer the provision made in the Bill that the person appointed should be a practising barrister of not less than seven years' standing at the bar.

1421. And removable at the pleasure of the Lord Lieutenant?—Yes.

1422. Do you think that the borough justices, as well as ceasing to adjudicate, should be restrained from interfering hereafter with the control of the armed forces during times of disturbance?—Yes, certainly.

1423. For what reason?—A magistrate holding the commission can, I understand, take charge of Her Majesty's troops and quell a riot. As the result, that interference with the police arrangements may, and I believe did, paralyse the efforts of the police authorities during the late riots. In support of that I refer to the following evidence discussed at page 94 of the Report with regard to the action of Messrs. Homer and Ewart and the removal of the police from Shankhill road, or in having them removed; to the evidence of Lieutenant Gordon in reference to the magistrate, Mr. D. B. Lyttle, at Questions 5791 and 5803, and to their cross-examination; also to the evidence of Inspector Tyacke, Question 5268, which refers to the conduct of Mr. Bell, a borough justice, who had the police removed from York-street. I refer you to Question 8043, giving Mr. Bell's own account, and also to page 96, in which you will see the result of his action in the burning of a house. I refer you also to the evidence of Sub-Inspector Davies, at Question 15323, in regard to the interference of a magistrate of the borough, Mr. William John Johnston.

1424. Do you consider that there is a conclusive case against the future employment of borough magistrates to control the forces in the streets?—Most certainly. I also may refer to the evidence of Major Caddell, at Question 5953 on this subject, in which he insists upon a single officer taking the sole responsibility for the troops in the street without any interference or advice whatever; that is to support the principle of the Commissioner of Police not being interfered with by any other authority while in charge of the streets.

1425. What do you say with reference to the appointment of the watch committee?—I object to its existence; to the selection of its members, and to the functions assigned to it.

1426. Will you give your reasons to the Committee?—I object to its existence from the fact that according to the Bill its functions may be divided into two sections: first, the maintaining of the peace; and secondly, making awards

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upon claims for malicious injuries. As regards the first part of the duties, detecting crime and providing for the peace of the streets, in the last paragraph of Clause 3 the words are, "It shall be the duty of the watch committee to inform themselves as to all matters concerning crime, and the arrangements for the detection and prevention of crime in the borough." Those powers and duties should belong to the Commissioner of Police, and I should hold him solely responsible for the peace of the town and responsible to the executive of the country. As an illustration of the awkwardness of having any committee to advise, I refer the Committee to Question 15803 in the evidence of Town Inspector Carr; he was the officer in charge of the police in the early part of the riots until he was disabled; the time he had spent in consultation should have been spent in action in the street.

1427. Of all the witnesses examined before the Royal Commission, I believe only three or four suggested the appointment of a watch committee or suggested any necessity for it?—That was so.

1428. Were they all members of the town council?—They were all members of the town council. Mr. Haslett proposed it; Mr. Ewart also suggested it. I was present also when Mr. Black gave his evidence. I would also observe that it is a going back upon the principles laid down in the legislation which took place after 1865. Now, the Act of 1865 declared that the town council henceforth should not have power to maintain any police force, and as far as my judgment goes, from reading the powers to be given to the proposed watch committee, there would be largely in the hands of the town council, and the justices, the selection of the members of the committee, who would be the real governing power over the police of Belfast. With reference to the second portion of the clause, I object to the principle of selecting the members: "The nominated members shall be annually nominated as follows, that is to say, four members shall be nominated by the Lord Lieutenant." We, as the Catholic body, have no certainty as to what the character of those four members might be; they might be Catholics or they might be Protestants, so I say that we have absolutely no guarantee that we shall have a single representative amongst the members nominated by the Lord Lieutenant: "Three by the justices of the peace for the borough." We have only a small number of justices compared to the number that the Protestants have; and, judging by the past, there would not be the least chance or hope that there would be a tolerant view taken of the Catholic creed, and that they would appoint a Catholic as one of those three.

1429. Do you consider it an anomaly that the justices, being retired by the Bill from the Bench, should have this power of nomination?—No, it seems to be a contradiction to declare, on the one hand, that for the common good they should not sit in the police court, and, on the other hand, to hand over to them in a conspicuous form further and stronger police powers. For, remember, that there are 17 members holding the commission of the peace for the borough, not one of whom is a Catholic; it would be impossible to have any of these Catholics, inasmuch as no member of the town council is a Catholic.

1430. Although the justices will be nominally relieved of the administration of justice, you would have still six out of the 11 as members of this Committee?—Yes.

1431. You have accurately divided the functions proposed to be given to the watch committee into two parts. With regard to the first, how do you think it could be organised?—As regards the keeping of the peace and the detection of crime, of course that should be in the hands of the Commissioner of Police and his officers.

1432. He might be a magistrate?—Yes. Then as regards the second part, namely, adjudicating upon claims for malicious injuries, we hold to the statement of our views as given before the Royal Commission, that there should be established an independent tribunal to adjudicate upon the claims for malicious injuries, inasmuch as the Catholic body have not confidence in the awards made by the town council.

1433. Do you propose to say anything in substantiation of that want of confidence?

dence?—The reason is, that not merely from the constitution of its members, but from the servants and officers employed, it is a corporate body solely of Protestants and exclusive of Catholics. It is looked upon by reason of these facts by the Catholic body with distrust; they have no confidence whatever in going before them that they will receive a just consideration of their claims.

1434. It is composed entirely of persons of one creed, and it applies the same principle of selection to the persons in its own employment?—It is composed entirely of members and of officers of one creed, with two or three exceptions, for which I refer you to the Appendix at the end of the Report.

1435. How then would you have the functions of allotting compensation discharged?—By an independent tribunal; I believe that the Catholic body would have entire confidence in the Recorder of Belfast as a court of first instance, and the going judge of assize as a court of appeal.

1436. Do you agree with the last witness, that if the bench be occupied by paid justices only, and if the Commissioner of Police bad, unchecked and unfettered, the powers of the 4th clause, there would be very little trouble hereafter about compensation for malicious injury?—I entirely agree with him.

1437. Do you consider it extremely necessary that there should be legislation in the present Session?—It is most important; the Catholic body are most anxious to have this Bill passed in its amended form into law, with the suggestions I have made. We had a meeting in March, from which we forwarded strong representations to Her Majesty's Government, calling upon them to give legislative effect to the Report of the majority. We also held a meeting about a fortnight ago, and in all the speeches that were made there was an expression of anxiety that the Bill, with the amendments we proposed, should be carried into law, because we believed as the result of it we should have peace; we are most anxious to live in peace and harmony with our fellow citizens.

1438. Do you believe that Belfast is a place in which formidable riots may break out without a moment's warning?—Certainly.

1439. Do you believe that if there be any failure to legislate this Session a heavy responsibility will rest upon those who cause the failure?—Certainly, because the material of Belfast is so inflammable that any disturbance occurring may throw the whole city into a blaze of riot at once.

1440. Do you consider that the appointment of this watch committee would enable the Government at a critical time to divest themselves of their proper responsibility?—Yes.

1441. If the experiment is to be made anywhere, do you think Belfast is the proper place for that experiment to be made?—I do not.

1442. Have you anything to add to evidence you have already given?—Yes; Mr. Hassett was asked as to the memorial sent forward by the Catholic committee before the Commission sat, to which memorial my name is. He was asked a few questions about paragraphs 2 and 3. One of them he said was unfounded, and the other was fallacious. I beg to say, and I respectfully tell the Committee, that every statement in this memorial was founded upon fact.

1443. I asked his worship the Mayor, with regard to the three reasons alleged in your memorial, on page 509: the "withdrawal of the police while a riot was going on, by the advice of partisan borough magistrates;" you verify that by reference to the 9th of June?—Yes, and also to York-street upon the following day.

1444. "A well-grounded conviction on the part of the Orangemen that law-breakers on their side would have comparative immunity from punishment when brought before the local justices;" you have verified that?—Yes, we believe that there is such a conviction on their minds.

1445. And "the hampering of the action of police officers at critical times by borough magistrates;" do you adhere to those reasons?—Yes.

1446. You state that they are fully justified by the facts?—I do.

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Examined by Mr. McCannell.

1447. You are a Professor in St. Malachy's College, I believe?—Yes.

1448. Your duties there are, I suppose, those of lecturer and teacher?—Yes.

1449. Are you a ratepayer of Belfast?—The college in which I am placed by special Act of Parliament was exempted from the police rate, but it pays the poor rate, the water rate, and every other rate; the concern is very large, and is rated very highly.

1450. You personally are not a ratepayer?—I could hardly say that; we live in common; the establishment is under the administration of the bishop of the diocese.

1451. *Chairman.*] May I ask what part of Ireland you are a native of?—I am a native of county Derry.

1452. Mr. McCannell.] I suppose I may take it that what your evidence consists of is this, that no Protestant tribunal's decisions will have the confidence of the Catholics?—No Protestant tribunals under local influence, as matters now stand, will have the confidence of the Catholic body. Any independent tribunal, no matter what the religion of the presiding judge is, they will have confidence in.

1453. I suppose a Catholic tribunal would meet with greater confidence?—I could not say. My remarks are directed to the existing state of things in Belfast, and we say that we have no confidence in the various bodies to which I refer.

1454. As long as there is a local Protestant, a merchant or otherwise, on the bench, his decisions will not meet with confidence?—I spoke with reference to the body of borough magistrates dispensing justice. I am not going into any particular cases.

1455. I do not ask you the name of any particular gentleman. I say, as long as there is a Protestant dispensing justice, his decisions will not command the confidence of the Catholic body?—I refer to the general body of Protestants dispensing justice; some particular magistrate may have that confidence, but the general body, working under local influences as they stand, would not.

1456. Have you ever lived in any other town except Belfast?—Not for any length of time.

1457. There is no local bench in other towns constituted in the same way, is there?—There is no such local bench in Dublin, and no such local bench in Birmingham, I believe.

1458. What do you say about Birmingham?—I understand that justice is dispensed there by a resident magistrate.

1459. By a resident magistrate assisted by laymen?—I was not under that impression.

1460. As you said at first, everything at Belfast depends on creed?—Certainly.

1461. You yourself, I suppose, have had no particular knowledge of government or local government in any form?—Nothing, except as a matter of general information.

1462. Except what you have evolved from a consideration of things in Belfast and your own inner consciousness?—And in the course of reading. I do not think I have evolved any theory from my inner consciousness.

1463. You gave evidence at very great length before the Commission, I believe?—At considerable length.

1464. Sir James Carry.] I gather from your evidence that only the views of the Roman Catholic body are to be considered?—Only the views?

1465. Yes?—No, but they should receive due consideration.

1466. I think you say that they are not now considered at all?—I did not say so.

1467. I infer that from the evidence you have given, not only here but

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but before the Royal Commission?—You will be kind enough to read any reference to my evidence before I give an answer to it.

1468. *Mr. Lawson.*] The shorthand writer can be referred to?—You can refer to the shorthand writer.

1469. *Sir James Corry.*] You stated distinctly that the Catholic population was represented on many of the boards, and that only a very small number of them were on the borough magistracy: 11 I think you stated; a considerable number of those 11 never attended the court; but whose fault was that?—I cannot say; I was not responsible for them.

1470. No, certainly not; but they did not attend the court?—No.

1471. Now you complain that there are only 11 Roman Catholic borough magistrates; is that out of proportion to the property and the population of Belfast?—If the position of borough magistrate is given solely in consideration of the religious proportion and the wealth of the place, it might be an average number for the Catholic body to have, but still, owing to the special circumstances in Belfast, it is a grievance that we have so few, and that they are so powerless in relative proportion to the numbers of the other side.

1472. But if they do not attend, how can you expect them to exercise any power?—We wish now that they should be abolished and relieved, and a new system established.

1473. *Mr. Lawson.*] Is it because they are powerless you say that?—It is because they are powerless that we wish the present system to be changed.

1474. *Sir James Corry.*] Then I suppose the whole constitution of the country might be changed in the same way?—We are dealing simply with Belfast; I cannot offer any opinion about any other part of the country.

1475. You say the Catholic body are perfectly satisfied with the report of the majority of the Commissioners?—Certainly.

1476. The Commissioners, then, seem to have completely adopted the view that was put forward by you and others representing the Catholic body?—Well, I suppose, to give that an answer I should read the recommendations of the Catholic body, and compare them with this Report.

1477. Yes; and the recommendations of the Royal Commission perfectly accord with the views that you held and that you do hold?—I believe so, substantially.

Chairman.] There was a series of resolutions drawn up by the Catholic body, of which you were secretary; but I do not think that that document has been put in before this Committee, has it?

Witness.] I have not a copy of it here, but I will see that you have a copy of it.

1478. *Mr. Sexton.*] Did you put it in before the Royal Commission?—No; quite recently I sent a copy to the honourable Chairman, and also to the Chief Secretary.

1479. Can you provide the Committee with a copy of it?—I can, and will see that it is handed in before Monday evening.

1480. *Sir James Corry.*] You say that the impression amongst the Roman Catholic population is that the local justices on the bench are partial and partisan in their judgments?—Yes.

1481. And that the awards that they give are not equal?—Awards; you refer simply to the punishments imposed.

1482. To the punishment?—Yes.

1483. You say that they are not equal; and you say that the poorer classes feel that more than the others?—Yes.

1484. And you bring forward the evidence of Colonel Forbes before the Royal Commission as verifying that opinion?—

Mr. Lawson.] Might I suggest that this is going over evidence which has been already given. It is a mere repetition of evidence which we have
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had this morning. I do not wish to interfere with Sir James, but we have had it all.

Sir James Corry.] The reverend gentleman is Secretary of the Catholic Committee, and he says that that committee was established for the purpose of preparing evidence for the Royal Commission, and also for coming here to press upon this Committee the necessity of having legislation on the lines of the recommendations of that Commission.

Mr. Lawson.] But he has stated his opinions already in answer to Mr. Sexton, I think, in regard to those points.

1485. *Sir James Corry.*] I wish to know with reference to this question of Colonel Forbes, because I am very anxious to know something about it. Colonel Forbes complained that he was interfered with by the local magistrates, I understand, on the bench?—Yes.

1486. And that one set of persons, or that one person received a different sentence from another on the same charge?—Will you kindly read me the question. I will not commit myself to the words that he used.

Chairman.] 4131 is the number, I think, that is referred to.

1487. *Sir James Corry.*] Colonel Forbes states that he does not wish the assistance of the borough magistrates. He says, "I do not invite it, and I would rather be without their advice sometimes"—4137 I have in my reference.

Mr. Lawson.] He says he does not invite their assistance.

1488. *Sir James Corry.*] Are you aware as regards those cases to which Colonel Forbes there referred, that when the charge-sheet of the police-court was investigated it was found that the charges were not the same at all?—I am not aware. It has nothing to do with the reference that I gave. Question 4134: "I want you to understand. What I want to know is, especially in party cases, why borough magistrates should interfere with you, who are paid by the State to administer justice in this town? (A.) It is generally with the view of reducing the punishment they attend."

1489. You referred to the evidence given by a gentleman, who I am sorry to say is no more, but you are aware that Mr. John S. Browne, who was a very strong party-man at one time?—A "party-man"? He held political views.

1490. Very strongly?—I am not aware of it; I did not know the gentleman personally.

1491. You object entirely to the constitution of the watch committee as proposed in the Bill?—Certainly.

1492. If you had an undertaking that a certain proportion of that watch committee would be members of your persuasion, would that change your opinion?—It might, but I could not answer for the Catholic body. It would require time to consider the amendment drawn on the lines that you suggest.

1493. Do you think it is likely that the provision in the Bill giving the Lord Lieutenant power to nominate four of the watch committee is intended to balance anything of that kind?—I could not answer for the intention of the drafter of the Bill, nor have I the gift of prophecy as to predict how they would turn out.

1494. Do you think the Recorder of Belfast would be the proper party to settle all the questions that would arise with reference to compensation?—I think he has a court to support in which the Catholics, and, I believe, all parties, have full confidence.

1495. I understand you thoroughly agree with the provisions contained in the Bill to abolish the jurisdiction of the borough magistrates on the bench, and you go further than that, and say also that they should have no control over the police in the streets?—Quite so; they should have none whatever.

1496. And you, representing the Catholic body, are perfectly prepared to hand over the whole of the liberties of the people to the Police Commissioner?—Certainly, under the existing circumstances.

1497. Whether

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1497. Whether he is a Protestant or a Roman Catholic?—Whether he is a Protestant or a Roman Catholic.

1498. Mr. Sexton.] He would be a magistrate, would he not?—He would be a magistrate.

1499. Sir James Corry.] You would make him sole dictator?—I do not like to use the word dictator; it has rather an odious meaning attached to it. He would be an officer solely responsible.

1500. To whom?—To the executive, and to the Inspector General, so far as the discipline of the police is concerned, and to the municipality as regards the maintaining the peace of the town.

1501. In case of a riot from any want of judgment on his part?—I cannot see any valid reason why the town commissioner of police, responsible for 800 men, and assisted by sub-inspectors and various grades all down the force, should not be perfectly capable of understanding the circumstances, and able to cope with any riot or disorder in Belfast.

1502. Mr. Lawson.] Are you aware that in London the Chief Commissioner of Police is responsible only to the Home Secretary?—I heard so yesterday.

1503. You have the Home Secretary in England?—You would have the Under Secretary in Ireland.

Sir James Corry.] That is a different matter entirely.

1504. Mr. Whitley.] Do I understand that you would accept the Bill in its present form with regard to the watch committee rather than that it should not pass this Session, or do you mean the Bill altered as you suggest?—The Bill altered as I have suggested would meet with the thorough appreciation of the Catholic body, and they are most anxious to get it.

1505. But not the Bill in its present form?—No, certainly not. I say I do not approve of the Bill in its present form.

1506. I understood you to say it was a matter of very great importance that the Bill should be passed?—Yes.

1507. Assuming the Bill to remain in its present form, would you like it to pass, or would you rather that it was deferred?—Personally, I would rather it was deferred.

1508. Chairman.] Do you say personally?—Personally.

1509. You are not speaking now for the Catholic body?—No, I am not; and the reason why I should not undertake to do so is, because I heard a diversity of opinion expressed.

1510. Mr. Campbell.] You would rather that there was no watch committee at all, as I understand?—My objections are applied to the watch committee mentioned in the Bill; and as to a watch committee to give advice to the town commissioner of police, I think it is entirely unnecessary.

1511. With reference to the preservation of the peace, do you think that a watch committee is not desirable?—I think it is not desirable as a matter of principle in keeping the peace of Belfast.

1512. We have had evidence that the Commissioner of Police would be greatly assisted by having a watch committee, and at the same time that his responsibility would not be interfered with. We have had evidence to that effect?—I believe so.

1513. Have you any opinion to give upon the subject?—My opinion is this, that he would be hampered by any such consultative committee, and I referred to the question asked Mr. Carr, the town inspector, during the late riots.

1514. Do not you give much weight to the opinion that the Commissioner of Police would almost require to have a watch committee for his own protection?—Oh, no; I look upon that as a trifling objection.

1515. You do not think it is necessary for him to have what is called a "buffer"?—Certainly not; he should be able to stand all the public obloquy attached to such a position, and to brave it; it is a ridiculous idea to think there should be a buffer between him and the public to divert public opinion

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from him. There is no such protection suggested for any similar position held, I think, under Her Majesty's Government.

1516. *Chairman.*] You spoke about the representation of the Roman Catholics in Belfast, and said, I think, they were not represented on any public body?—Not represented on any public body, except—

1517. What about the Harbour Board?—There is not a single one on the Harbour Board.

1518. Is there not?—No.

1519. Have you read Mr. McHardy's Report?—Yes, I have taken a look through it.

1520. Not more than that?—I must say I attach the ordinary meaning to those words. There are certain paragraphs I passed over; at a glance I saw there was nothing in it.

1521. I will take the particular paragraph where he suggests the watch committee; did you read it?—Yes.

1522. Are you aware that Mr. McHardy is a police officer of great experience, and Chief Constable of Lanarkshire?—I am aware he is Chief Constable of Lanarkshire, but I am not aware of the number of years' experience he had.

1523. Will you not take it that he is a gentleman of experience in his line of life, from the fact of his having been placed by the Government upon that Commission?—I could not form an opinion upon that; I could not tell what motives were in the minds of the Government in appointing him.

1524. You notice the watch committee, as proposed by the Town Council?—Yes.

1525. The original proposition?—Yes, that contained in the evidence of Mr. Black.

1526. Would you not be satisfied with that?—Certainly not.

1527. But you would not be satisfied with Mr. McHardy's committee as he proposes it, would you?—No, because substantially that would amount to the same in our case.

1528. If you allow, for the sake of argument, that a watch committee is advisable, would you prefer a watch committee that had no representatives from the town of Belfast at all, or one which was partly *ex officio* and partly selected from the town?—At the present time I would rather have a watch committee having no local representation, or that was under no local influence.

1529. Such a watch committee, for example, as the general commanding the district, the inspector, and the resident magistrates?—Yes, the inspector and his own officers of police.

1530. In your evidence, one of your suggestions, speaking on behalf of the body you represent, is a suggestion that the law as to malicious injuries should be amended so as to include compensation for goods stolen and loss of business?—Yes.

1531. Would you include in that compensation for injury to life and limb; you will observe that that is in the Bill?—I remember we considered that question at the time, and we did not come to any conclusion, but I do not see any reason why there should not be compensation for injuries received either to life or limb in riots such as we had last time.

1532. You can see no reason why a man should be compensated for his windows being broken and not compensated for having his head broken?—Just so.

1533. *Mr. McConnell.*] With reference to Mr. Close, the magistrate to whom you referred; if you refer to the magistrate's statement which has been handed in, you will see that in the eleven months, ending the 31st July 1887, Mr. Close sat 26 times. You spoke of him as only sitting once or twice?—No, I did not. Before the last Riots Commission, which was held in 1886, have you got his attendance for 1886.

1534. Is not Mr. Michael McGee, M.P., a Catholic?—He is not considered to be a Catholic.

1535. I do not follow this. He is not a Catholic, do you say?—I say he is not considered to be a Catholic by the Catholic body.

1536. Michael

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1536. Michael McGee I am told is a Roman Catholic, but his clergy do not seem to accept him; he sat 46 times in 1887?—

Mr. Lawson.] This is evidence that you are giving now.

Mr. McClell.] I do not want to inquire into his defection.

DR. ALEXANDER DEMPSEY, J.P., Sworn.

Examined by Mr. Sexton.

1537. You are a medical doctor in practice in Belfast?—Yes.

1538. Are you on the commission of the peace for the borough?—Yes.

1539. How long have you held the commission?—About six years.

1540. For the greater part of that time you have constantly attended the bench?—Yes, for a considerable part of the time I was in the habit of attending, but I have scarcely been on the bench at all during the last year.

1541. In your absence had you any belief in your mind that you could not reconcile the action of the majority of the bench with your idea of justice?—Well, I was not satisfied with the arrangements there, and with the course of procedure at the courts, and I ceased to attend.

1542. Let me ask you generally if you consider the recommendation of the four Commissioners should be founded upon the evidence taken before them, and if you approve of the recommendation?—Yes, generally I approve of the recommendation.

1543. Do you approve of the proposal in the Bill to relieve the borough justices, of whom you are one, from the administration of the bench?—Yes, I quite approve of that.

1544. Will you be good enough to submit your reasons for that conclusion?—If it is proposed to have police magistrates as I would go in for, I believe that the presence of the borough magistrates on the bench would only hamper those men in their functions there, and that they would serve no good purpose. I think the impression that is prevalent in Belfast is, that there is no confidence in the borough magistrates proceedings at the police courts in Belfast. I believe in times of riot, when party feeling runs high, that they are just as subject as any other body of men to the general feelings that are prevalent at that time of a party nature.

1545. *Chairman.*] That you say is the prevalent opinion in Belfast; you are not giving that as your own opinion?—I can quite corroborate the general opinion by my own experience.

1546. I mean to say what you intended to convey to the Committee just now was the general opinion; you were not expressing your own opinion then?—I say that that general impression exists, and it is an impression that I share in, owing to that high state of feeling, and the participation in it by the magistrates, I think they are not a tribunal that should be adjudicating on cases of a party nature.

1547. Mr. Sexton.] The mayor denied that people canvassed magistrates to induce them to attend in party cases; can you throw any light upon that matter?—I know it is a habit of the people of Belfast to canvass magistrates for all sorts of cases; party cases and others.

1548. Mr. Whitley.] On all sides?—On all sides.

1549. Mr. Sexton.] Do the magistrates to any considerable extent yield to those solicitations?—Yes, I have reason to believe that they do.

1550. Both in attendance at the court and in their judicial action?—In various ways; they try to assist friends of their own party very frequently as much as they can.

1551. We have heard of a rota. Is there any document in existence showing the working of that rota?—There was a meeting of magistrates held about a year ago (I think it is) or more, on which the days were fixed upon which

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the magistrates were to attend. This is it that I have here; I will hand it to you.

1552. Will you hand it in as evidence?—Yes, I will hand it in to the Chair man. (*The document was handed in, vide Appendix.*)

1553. *Chairman.*] May I ask you what are these marks meant to indicate?—I put the marks opposite the Catholics.

Mr. Sexton.] Perhaps it would be well that the witness should say himself from that rota how it works with regard to the creeds.

Witness.] On Mondays there are ten magistrates for duty at the courts; two Catholics, Mr. Hamill and myself, and eight Protestants. For the past year I do not think I have been on the bench at all. I am not quite certain, but I believe I have not been.

1554. *Mr. McConnell.*] It is shown by the return that Dr. Dempsey, for the eleven months ending July 1887, attended only once; in 1885 you were present six times, and in 1886 ten times?—Yes; therefore, for the past year, there has been only one Catholic on Mondays; that would be Mr. Hamill. On Tuesdays there are two Catholics out of the ten, and those, I believe, for the past year have not been present at all.

1555. *Chairman.*] But they had the option of being present. If they do not choose to sit that is their fault?—They have not been attending; they had, of course, the option of being present. On Wednesday there are three; none attended. The same applies to the Thursdays, no Catholic magistrates attending. On the Fridays Mr. Close, it appears, has been attending pretty regularly. On Saturdays there are no Catholic magistrates attending.

1556. *Mr. Sexton.*] Would you account for the absence of the other Catholics from the same cause as that which you have given for your own?—The same cause, I believe, has operated in the case of the other magistrates.

1557. How does that rota operate in producing a want of uniformity in the sentences?—You see there are ten magistrates for every day in the week, ten different men for each day.

1558. *Mr. Whitley.*] Do the ten men sit in one court?—I do not say that all those men sit every day.

1559. *Mr. Sexton.*] Can you explain to the honourable Member for Liverpool how that is?—

1560. *Mr. Whitley.*] When you say ten, do the ten magistrates all sit in one court?—All those who attend sit in the one court; there may be five, six, or seven on the bench at one time.

1561. *Mr. McConnell.*] Are not there two courts?—Yes, there are two courts; there is a summons court and a custody court I should say.

1562. *Mr. Whitley.*] Would five be in one and five in the other?—Yes, they usually divide their number.

1563. Would five be in one and five in the other?—I may say that in times of riot, when party feeling comes up, the majority sit in the custody court to hear party cases, and the summons court is left to one or two, or probably to the resident magistrate himself.

1564. *Mr. Campbell.*] Is there a resident magistrate with them?—There is a resident magistrate with them.

1565. Always?—I might say always; he might be absent, but generally he is present in the court.

1566. He is there from day to day?—They have a rule of this kind. One sits one week in the custody court, and the other sits in the summons court; they change places the next week; they divide their duty in that way; I think that is the usual rule that is followed. The other local borough justices sit with them. I was just saying in reference to the want of uniformity in sentence imposed that I would put aside altogether any charge of partiality in considering this for the moment;

moment; but, from the very fact of 10 different men sitting each day, it is only natural to think they will take a different view of crime each day, and the punishment that should be inflicted. Even with two judges of assize with parallel cases exactly coming before them, there would be a difference in the amount of sentence imposed; and if that is the case with trained lawyers I would say that it would be greater in proportion to the number with men sitting on the bench who had not a legal training, and there would be more likely to be a variety and a want of uniformity with them.

1567. Mr. Sexton.] Have you found that the creed and party of an accused person have a continual bearing upon the amount of sentence imposed?—I had always an impression upon my mind when I was in the habit of attending the court, and it was an impression, I think, that was justified, that in the case of a Catholic coming up before the court, there was a greater tendency on the part of the justices sitting on the bench to credit the evidence against him, and a greater tendency to inflict heavier punishment. I always had that impression on my mind, and in other cases I had the contrary impression, that when the prisoner happened to be Protestant or come from a Protestant district (that was well known), I thought the evidence was sifted more closely, and that the sentences were not so heavily imposed. That is the impression I always had when I was attending. You know in Belfast, as has been here stated by Mr. Bowman, the town is divided into districts. Owing to these party disturbances, people have found it necessary to live in certain districts for protection; and as regards a prisoner coming from any of those districts to a man who knows Belfast pretty well, as the borough magistrates all do, it can be told almost to a certainty what religion the prisoner is, even from the end of the street abutting on Catholic districts, the magistrates could almost tell, as the numbers go up, what a man is; it is so well defined in Belfast, the district in which Catholics live.

1568. Chairman.] You were a Roman Catholic magistrate?—Yes.

1569. Surely you do not think your bias would lead you to lean harder upon a man of an opposite religion, would you?—That is just the point that I want to impress upon this Committee. I say, in Belfast party feeling runs so high, and pervades every class to such an extent, that no matter how fair-minded a man is he is scarcely able to get over it. He may do it unconsciously, and I believe, if done, it is done unconsciously.

1570. I hope you will understand the way in which I am putting the question; I am not putting it offensively; you are giving your evidence so very fairly that I only want to elicit your mind on the question?—I understand what you mean. I would not pass an unfair sentence on anyone consciously, but I think it is possible that I might do it unconsciously.

1571. You think it is perfectly possible, as party feeling runs so high, and the feeling of antagonism is so strong, that you might possibly do so?—Quite so; I think that I might even myself possibly do it.

1572. Mr. Lawson.] I suppose it would more often take the form of reducing than of increasing the punishment?—That is the usual form; we are more inclined to be lenient to our friends, if I might so say.

1573. And hard upon your enemies?—Yes.

1574. Mr. Sexton.] Would it not occasionally operate in increased sentences against a man on the other side?—I say so. A man is more inclined to believe evil of those opposed to him than those who are with him.

1575. Can you tell me if the constables and police engaged in prosecuting cases in the court are affected to any extent in giving their evidence by this view of the disposition of the majority of the bench?—It is our general impression that they are.

1576. The police force is demoralised?—I think that it has a demoralising effect upon the force.

1577. How many Catholic justices have you?—I think there are about 11.

1578. Did you call a meeting of your Catholic fellow-justices before you came here to consider this question of the limitation of your powers?—Before the Commissioners sat in Belfast I did call a meeting of Catholic justices to

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ascertain from them what views they held in reference to the kind of evidence we should give, and in reference to this question of whether or not we would give evidence about the continuance of the justices on the bench, and they were all of opinion that it would be better for the peace of the town, and better for the promotion of the harmony and good feeling that should exist in Belfast, if borough magistrates ceased to preside at the police courts, and that the business there should be done by two justices who would have no connection with the borough magistrates.

1579. Did all the Catholic justices attend that meeting?—With the exception of one they were all present.

1580. And is it on behalf of all the Catholic justices but one that you think it essential that the adjudication by borough justices should cease?—I believe it would be much better for the peace of the town that we should have two police magistrates appointed.

1581. Do you wish now to add anything with respect to the borough magistrates?—There are a number of considerations that would operate with me in saying that they should not continue to preside in the court. There are cases outside, party cases, where I think that borough justices should not be on the bench to try, and those are cases between employers and *employees*, wages cases, in which there are frequently principles at stake, and interests in which even the justices may mistake, and I think it is not right that those men should be deciding cases that, more or less, interest themselves. That is one reason I think why, even with regard to cases that are not party cases, the borough justices should be deprived of the function of adjudicating upon them.

1582. The mayor thought that these commercial cases are peculiarly fit for the borough justices; you think the contrary?—Well, I do not think as he does.

1583. You think entirely the contrary to the mayor?—I do. I think those cases I have mentioned would be better decided by some one who would have no interest whatever in the decision given.

1584. Do you wish to make any observation upon the question of fines in connection with the borough fund?—What Mr. Bowman stated here is correct, that the fines imposed there go into the borough fund, and a large number of the borough magistrates are members of the town council, and of course it is their interest, in order to get credit for keeping down the rates, that the borough funds should be kept up; whether that would induce them or not to impose fines instead of imprisonment is a question that I would not just be able to say; but I know that a deputation waited on the late Mr. O'Donnell, who was resident magistrate, and who had gone in for imposing imprisonment instead of fine, asking him to change his "hand," and to impose fines instead of imprisonment.

1585. And the municipal fund profited last year by 3,000*l.* in respect of fines, did it not?—I do not know that exactly: I have not the amount.

1586. Do you think that the action of the local justices, in certain cases, during the late riots, in withdrawing the police and in releasing prisoners, encouraged or prolonged the riots?—I think that they did a great deal of harm by their presence in the streets. I think they did no good whatever. That is the view I have held for a number of years, and have given expression to it at meetings of magistrates. For the last two years I have declined myself to act in the streets, because I never could see that we were able to do any good. Four or five magistrates are placed in charge of a district. If the mobs that congregate there are inclined to be quiet, the magistrate is of no use, he is not wanted; but if once they get excited my experience is that he has no influence whatever over them; on the contrary, that his presence there may probably do harm. For instance, if he is belonging to the party which is troublesome and disorderly, they count upon his presence that he will stand as a sort of "buffer" as it has been put here in another sense, and they think that the police will not deal with them as promptly as if he were absent, I think in that way they would be much better off the streets, and I may just mention an instance of that if you will permit me; it is an instance that impressed itself very much upon my mind. During the visit of Sir Stafford Northcote to Belfast

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in the year 1883, he was met at the Ulster Station by a torchlight procession, which went with him to Sir Thomas Bateson's residence. It was a dark night, and the persons accompanying him set upon a convent there and smashed it, and the reverend mother of the convent died during the night. That same day the offices of the Belfast Liberal and National Paper, were also smashed. Next day there was a meeting in the Botanic Gardens, and the processionists returning home from this meeting were inclined to be disorderly, and there was great apprehension on the part of the magistrates that we would have a general riot, because there was reported in the morning papers the death of the reverend mother, and the wrecking of the convent, and the smashing of the newspaper office; and placarded on the windows of the office, which were boarded up, was a bill which was thought to be rather inciting to the people: "Visit of Sir Stafford Northcote to Belfast; wrecking of the Nazareth Convent; death of the reverend mother;" the sequence being, of course, that the wrecking produced the death, and it was feared that we would have a very serious riot when the processionists came up to Carrick Hill, a Catholic quarter, and were becoming very disorderly. Mr. Cullen who had then just come to the town as town inspector, read the Riot Act, and charged them right up at once, with the result that they were dispersed immediately. I came on the scene immediately afterwards, and there was considerable indignation on the part of the other magistrates that Mr. Cullen had thought it advisable to charge what was called the "loyal people of Belfast." Mr. Cullen appealed to me, and I said to him that I thought he had, by his prompt action, just done the very thing that would quiet the town, and prevent the occurrence of riots. Sir David Taylor, the then mayor, asked me to accompany Mr. Thynne over Carrick Hill, which was a disturbed district, and ask the people to go home. The people were satisfied with what Mr. Cullen had done; they were satisfied that he was going to deal fairly and impartially with every disturber of the peace; and when Mr. Thynne and I went over to request these people to go home, we had no one to ask, because they had dispersed, and the street was perfectly quiet, and there was not the slightest disturbance at a time when we had every reason to believe that there would have been a disturbance, so that I think if the borough magistrates are off the streets, and if the town inspector, or chief of police, is left responsible for the town by his prompt action, and the taking steps at the time they should be taken, and not consulting a number of men who are not really able to give advice, that riot and disturbance would be dealt with and put down quickly, promptly, and without any continuance.

1587. You would say, I presume, that the town commissioner should be, *ex officio*, a member of the police?—The town inspector is that at present. He is a magistrate, and I would say that he should continue to be.

1588. The moral you wish us to draw from the narrative you have just given us is, that if the local justices interfere in the streets they would prevent that prompt and decisive action which is most likely to restore peace?—Yes, that is the inference I desire to draw. Besides that, I may mention another report, which I believe is pretty well founded, in reference to magistrates on the streets. There is sometimes the same sort of feeling actuating them in their duties there as actuates them on the bench. During the last riots it was necessary to fire on an Orange mob, and a local borough magistrate asked that the same order should be given to fire on a Catholic mob, or a number of Catholics standing looking on at the riot.

1589. Mr. *McConnell*.] Are you speaking of a thing that occurred when you were present?—I was not present. It is a fact, at all events, although I was not present.

Sir James Corry.] I think we have plenty of evidence without any hearsay evidence.

Chairman.] Yes, I think so.

Witness.] Very well, sir.

1590. Mr. *Scotton*.] Do I understand that, in regard to this matter of the intervention of the magistrates in the streets, as well as with regard to jurisdiction

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diction upon the bench, you have the concurrence of the other Catholic justices?—Quite; they entirely agree with me.

1591. Do you wish to add anything now about the local bench, before we pass from that point?—The only other thing I would wish to say in reference to the borough magistrates on the bench is, that Belfast, being a town in which party feeling is so intense, and also in which political feeling runs so high, requires exceptional treatment. The magistrates in Belfast are nearly all members of political organisations and political committees, and with the custom that exists in Belfast of canvassing magistrates, which is a custom that I know prevails, I think it is more than likely that they would be very frequently called upon by members of their own political organisations to do a service to a friend if one of their party got into trouble. I think that all those opportunities should be taken away, and that justice would be much better and much more fairly administered if someone would be there who would not be subject to those influences.

1592. Are the local justices chiefly men who have daily private business to discharge?—Yes, they are nearly all men engaged in business; all who sit on the bench.

1593. What is the daily average of cases coming under their adjudication?—I understand that about 24,000 cases are tried at the police courts in a year; that would give an average of about 80 cases each day, 40 in each court. I know that the court seldom lasts over two or three hours, speaking generally, and if you take 40 cases tried in one day at one court, and disposed of in two to three hours, you will find each case will occupy about three to five minutes. If you have three or four magistrates sitting on the bench, and taking the time necessary for the magistrates to consult as to the verdict, you will see that there is very little time left for the hearing of evidence.

1594. Do you think they want to get away to their business?—There is a desire to hear all that is to be heard at the court to go through the business, and at the same time get away as quickly as possible. I think if you had paid police magistrates there they would take more time.

1595. Do you think that the proper administration of justice requires longer sittings by the court?—I should say so. I think the business done in Belfast is done much too rapidly. I know when I was sitting there there were cases decided as to which I really could not satisfy myself that we had gone sufficiently into the evidence, especially the evidence for the defence. The rule is, in order to get through business, to believe everything a policeman says, and when the policeman has given his evidence sentence is pronounced straight off.

1596. Do you think the magistrate might sit from 11 to three or four, and give better attention to the business of the court?—I should think it would at least require that; they should sit from 10 until three o'clock.

1597. Shall we pass now to the question of the two paid magistrates?—Yes; I am prepared to answer any questions in reference to that.

1598. Do you think they ought to be taken from the bar or from the resident magistrates?—I would prefer to have men taken from the bar. I think they should have a legal training, because I think in Belfast there are cases constantly cropping up (it is not like a small town) of a complicated nature, that require really that a man should have some legal training to deal with them. I do not think that the borough magistrates, for instance, are fitted for it, nor do I think that stipendiary magistrates, who have not a legal training, are any more fitted for it than the borough magistrates.

1599. Would you prefer a person taken direct from the Irish Bar, and appointed practically for life, or a person taken from the resident magistrates and liable to be drafted back to the general service if he did not happen to suit Belfast?—If you can find a man in the rank of the stipendiary magistrates who has had the necessary legal training, I would have no objection to appoint him, but I would certainly prefer that he should be a man taken from the bar. The only objection to taking him from the bar that I know is, that if he did not give satisfaction I do not know where he would be put. If he were a stipendiary magistrate he could be relegated again elsewhere, and he would not have to be pensioned.

1600. Does

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1600. Does it appear to you then that a resident magistrate, who is also a barrister, would be more fit than a person who was not a resident magistrate; would it be easier to get rid of him?—It would be easier. He would be more easily removable.

1601. Do you think it reasonable that there should be two of those?—I think it essential there should be two. I do not think one could possibly do the business of Belfast.

1602. Do you think as a settled principle one of those should be a Catholic, or not?—The rule has been, as regards resident magistrates, that one is a Catholic and the other is a Protestant. I think that should be continued; I think it is a very fair rule.

1603. Do you think when they exercise powers under the Criminal Law Amendment Act that they ought to sit together?—Yes, I think it would be much better that they should sit together in trying those cases.

1604. It would inspire greater confidence?—It would inspire greater confidence.

1605. Do you consider that their duties ought to be entirely judicial?—Yes, I think they should have nothing to do with the initiation of prosecutions; they should have no communication with the Castle; they should have no communication with the police force, but simply come down to the court there and hear the cases, and decide them on their merits.

1606. And not interfere in the streets?—And not interfere in the streets, or in any way with the preservation of the peace, but simply adjudicate upon the cases brought before them at the police court.

1607. Do you disapprove of the proposal to appoint a watch committee?—Yes, I believe it would do a great deal of harm; I do not believe it would in any way tend to allay the party feeling of Belfast, but rather increase it.

1608. Do you see the contradiction between the proposal to remove the Justices from the Bench, and the proposal to allow them to nominate a substantial part of the watch committee?—I think if they deprive them of the functions in one respect it appears to be contradictory to give them others in another. If they are deprived from sitting on the bench, they ought to be deprived of all duties that would in any way appertain to the preservation of the peace or the administration of justice.

1609. Have you noticed in the evidence, the mayor, the chairman, and all the local elected members of the watch committee would be Protestant, and that the Catholics would have to depend for any representation upon the pleasure of the Lord Lieutenant?—Yes, I am almost certain that the borough magistrates would not elect a Catholic, and I would not expect the town council would.

1610. The mayor would be always a Protestant, would he not?—The mayor has always been, and I expect for a long time will be, in Belfast.

1611. Do you consider that it is an invidious scheme which, whilst it makes the elected members all Protestant, leaves the Catholics to depend upon the will of an individual in Dublin?—Yes; I do not believe in the principle of the watch committee at all; I object to it *in toto*.

1612. If you were nominated on the watch committee yourself, would you act on it?—I would not. I certainly would not have anything to do with it.

1613. Would any Catholic justices, in your opinion, in Belfast?—I think any one that would would be very foolish, because he could not possibly give satisfaction to the Catholic body, and he would become a very unpopular man.

1614. Do you consider that the provision in the Bill, providing for reports to be made by the Commissioner of Police to the watch committee, would enable them, by observations or resolutions upon his reports, to place him in a difficult position?—Yes, it would be the most difficult position. For instance, suppose it was intended to hold a procession, and that the watch committee had decided not to proclaim that procession or that demonstration, it being a Protestant procession; suppose in a fortnight after the same watch committee decided to proclaim a procession which was a Catholic procession; in that case of course the outside public would say that he had not acted in a manner that he should have acted in allowing the watch committee to proclaim a meeting of Catholics, when they had allowed a meeting of Protestants. Those sort of things would be cropping up constantly, and it would place a representative

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tire of the Catholic body (because he would always, of necessity, be in a minority) in such a position that I question whether you would get any Catholic magistrate at all to accept the position.

1615. You think not?—I do not believe there would be one. I have spoken to Catholic magistrates, and I do not think you will find that you will get one who will accept that honour, if it is an honour.

1616. Does it occur to you that a committee of 12, such as is proposed in the Bill, having six local justices upon it, would always have the majority in the hands of the local justices practically, seeing that the *ex-officio* members would not be so likely to be in constant attendance?—Yes, I think the local justices would always have a majority. I look upon that watch committee really as a return to the old system in Belfast, which was condemned by the Commission of 1865. The local force in Belfast was then under the control of the town council, and these men were drawn from Belfast and the neighbourhood, and they were every one Orangemen, and it was quite customary for them to take part in Orange demonstrations, and when riots occurred it was not unusual for them to be found fighting with the Orange party against the Catholic.

1617. *Chairman.* You do not surely mean to take up the time of the Committee by suggesting that the watch committee with the general commanding (the head of the troops), would be found heading Orange processions and fighting in the streets?—If the general commanding the district and the others attended punctually, and the number of the others was not so great as to overwhelm them and their decisions, the difficulty would not arise. All I say is that it appears to me to be going back on the old principle that has been already condemned. You are giving back to the town council what was taken from them in 1865, because I look upon this watch committee as practically a committee of the town council.

1618. *Mr. Sexton.* Do you consider that the constitution of the watch committee and its powers will go directly in the teeth of the strong recommendation of the four Commissioners as to undivided responsibility of the police?—I do; I look upon that as directly in opposition to their recommendation.

1619. Do you think the powers contained in Clause 4 are requisite for the preservation of the peace to be exercised by some authority?—Yes; I think that the great trouble with us in Belfast has been the permission of processions and demonstrations, and Sunday school excursions, the putting up of arches across the streets at places where they are likely to give offence, and matters of that kind; and I think there should be some power of preventing the recurrence of those things in the future if we are to have peace in Belfast.

1620. To what authority would you commit these powers?—I would give them over to the Chief Commissioner of Police, and make him responsible for the preservation of the peace of the town, and for taking whatever steps he thought best suited to that end.

1621. Bearing in mind the recommendation of the four Commissioners, that the riots break out suddenly and develop swiftly in Belfast, do you think it is necessary, leaving the franchise out of view, that those preventive powers should be exercised by an individual?—Yes. I think he would be able to act much more promptly and with greater effect if left to himself, than if he had, when information was given to him, to summon a meeting of 10 or 12 of a committee, and consult with them as to what steps should be taken. They had a committee in existence during the riots of last year, a sort of consultative committee, something like what is proposed in this Bill, and I understand their deliberations often lasted over two or three hours, and they were sitting daily when the riots were actually going on in the town.

1622. *Mr. Lawson.* Are you aware that the report itself quoted as having been given in evidence the statement that at this committee there was a good deal of confusion, a great deal of talk, and very little business done?—That is evidence given by the members of the committee.

1623. *Mr. Sexton.* So that in the event of a riot breaking out, a state of disorder might arise before the Commissioner could set the committee in motion
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and give an order, and that the riot might have passed beyond his power of handling?—Quite so

1624. You are so averse, as I understand, to the appointment of a watch committee at all that you do not feel disposed to enter upon criticism of any rival schemes?—I think it would be a very great mistake at the present time to appoint a watch committee. My desire is most sincerely to have good feeling and harmony established in Belfast. I think that the effect of this clause would be just the very opposite; I think that it would become a sort of pandemonium for discussion and political bickerings between the different members of the committee, if Catholics and Protestants are appointed on it, but, as I said before, I do not believe you would get a Catholic magistrate to act on that committee.

1625. Do you think that there is a danger, if the watch committee were appointed, that the political proceedings of the majority might be unchecked, and that the minority might be fettered?—Yes. Supposing a national demonstration was held, so far as I can gather from the Bill, a meeting in a public hall might be prohibited by that watch committee, and they might act in such a way as to exasperate and irritate the people.

1626. *Chairman.* Surely that might be done by the Commissioner, might it not?—Yes, but I do not think the Commissioner would interfere so much as a local committee would interfere.

1627. *Mr. Sexton.* Do you think the Commissioner would be open in the same degree to the suspicion that he was acting upon local prejudice?—I do not think so; at least I would not think so.

1628. He would get more credit for impartiality?—There would be partiality in the committee in Belfast, at least, I should say so.

1629. Do you think there is reason to apprehend that the unwillingness of Catholic justices to serve upon such a committee might so extend to the Catholics generally in the town that the Lord Lieutenant could not procure four suitable Catholics, or any suitable Catholics to act upon such a committee, and might have to rely upon strangers?—Yes, I would have that opinion.

1630. Do you consider that either the watch committee or the town council is or would be a satisfactory tribunal for assessing injury to property or to the person?—The town council at present is the authority, but I know that it has not given satisfaction. The Catholics are not satisfied with it, and they ask for a change, and I do not think that the change from the town council to a watch committee would be a change that would be at all favourably received by the Catholic body. I think they would just as soon have the present body as the new body that is proposed to be created.

1631. The town council is substantially the party in the case of malicious injury, is it not?—Yes, they are the party that gives the damages out of the fund; they have to pay and bear the claims that are brought up before them.

1632. What tribunal do you suggest?—I would suggest that the Recorder of Belfast should be appointed. I think that the Recorder of Belfast would give satisfaction to every one. I do not see what objection the Protestant part of the population could have to him, and I know that the Catholic body would have no objection. The present Recorder is a Protestant, and he may be in future always a Protestant, and still we would have perfect confidence in him. What we desire is in matters of this kind to have responsibility thrown upon one man. If it is thrown upon a number of men we feel that it may be so divided that public opinion will have very little effect upon them. We believe if the responsibility is thrown upon one man that he is more likely to give satisfaction and to deal fairly with all claims that are brought up before him.

1633. What do you say upon the proposal of the four Commissioners, that these cases should be investigated in the first instance by such a tribunal as a Government or other arbitrator?—My only objection to that is the matter of expense. If you appoint a Government arbitrator you have to pay him a salary. The Recorder, I believe, has sufficient time to do the duties that would be imposed upon him by this Bill, because I do not think that after some time the duties would be heavy. I think they will not be so great as they appear at

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first sight. I think if the changes proposed to be made in the Bill are carried out, we will have peace and quietness in Belfast.

1634. That is, if the Commissioner of Police has the powers and not a watch committee?—Quite so.

1635. In every case would you give an appeal to the judge of assize?—Yes, I would.

Cross-examined by Mr. McCConnell.

1636. Do you know any corporation in England or Ireland that is without a watch committee or something equivalent to it?—I do not think that the Dublin Corporation has any watch committee.

Mr. Sexton.] There is nothing of the kind in Ireland anywhere.

Mr. McCConnell.] In no corporation?

Mr. Sexton.] Anywhere.

Witness.] No

1637. Mr. McCConnell.] It is not so in Ireland, is it?—I know no place where it exists in Ireland.

1638. No watch committee?—I do not know of any.

1639. In England do you know of any?—I believe in Birmingham they have a watch committee.

1640. And in every corporation?—I do not think they have in every corporation.

1641. Are you aware that by the Act passed in 1882 (the Municipal Corporations Act) that the compensation is to be fixed by the corporation in every corporate town in England?—I am not aware; I have no information about that. However, I would not put Belfast on the same level at all with any English town. The circumstances are so very different that you cannot make any comparison between an English town and Belfast.

1642. Mr. Lawson.] Are you aware that in the metropolis none of the local bodies outside the City of London have any watch committee of any kind whatever?—Yes, I understand that is the case.

1643. Mr. McCConnell.] You desire really that one man should have all the authority of the police in Belfast?—Yes.

1644. All the authority proposed to be exercised by the watch committee by this proposed Act?—Yes.

1645. The authority to prohibit processions of all kinds?—Yes.

1646. To proclaim meetings, to prohibit the erection of arches, and to have the general charge?—Yes.

1647. That is what you wish to apply to Belfast?—Yes.

1648. And the magistrates entirely removed from the exercise of judicial power?—Quite so.

1649. Is that local self-government in any form?—In Belfast, as I said before, we are such an excitable people, our feelings run so high occasionally, that really the same rules of government cannot be applied to Belfast as to other places. When Belfast comes down to its proper senses, and preserves the peace, and is like other towns, then questions like that may arise, and Belfast should stand on the same level as other towns.

1650. In the meantime, you prefer to have a police republic under a police dictator?—I do not think it would be a police dictatorship at all.

1651. You do not like that name?—I do not object to the name. I do not mind the name very much, but I do not think he would be a dictator; I would certainly prefer his dictation to the dictation of the town council of Belfast. I do not care who is appointed.

1652. Are you aware that under this proposed Act the four who may be nominated by the Lord Lieutenant are not restricted as to being justices of the peace, and that there is no restriction upon the class from which they may come?—

Quite

Quite so, it is quite possible. The Lord Lieutenant might appoint four members of the town council; you would then have the body quite complete.

1653. It is quite possible; though he is unlimited, the council are limited to the justices of the peace; he is not?—I know the Lord Lieutenant may appoint four.

1654. You spoke of an executive committee that was appointed in Belfast, during the riots, by the magistrates?—Yes.

1655. Were not there on that executive committee two Roman Catholics?—There was one Roman Catholic on that committee.

1656. Were not there two?—There was one I know of, Mr. James Ross.

1657. That is not an answer to my question; were there two, Dr. McGee and Mr. James Ross?—I may say here, as has been stated by Professor Tohill, that we do not regard Mr. McGee as a representative of the Roman Catholic body. You may call him a Catholic, or anything you like, but we do not look upon him or regard him as a representative. Dr. McGee was on the committee, I believe.

1658. Dr. McGee, and Mr. Ross, and Mr. McClelland, who is a Protestant Home Ruler?—Yes.

1659. He was on the committee?—Yes.

1660. At the times when you were in court, where you say matters were hurried over, did you protest at all?—Well, I did all I could. I was most anxious to hear the cases fully.

1661. Did you protest in any way?—I did not get up in the court and publicly protest.

1662. Did you protest to the magistrates; did you take any step that this unseemly hurry should not be continued?—I was discussing the cases as to the verdict and anxious to have a full knowledge of the bearing of the case before deciding upon any case.

1663. You think the fault could not be found, as to these matters of haste, if professional magistrates presided?—Of course, the same thing could arise with them; but I do not think it would be so likely.

1664. Are you aware that the professional and stipendiary office in London is not in such high repute at present as it once may have been?—I know a case betterly has occurred that has given dissatisfaction, but I should say there are many similar cases occurring in other places, and I have no doubt in Belfast too, in which injustice is done by undue haste and a too great belief in the evidence of policemen and too little in the evidence for the defence.

1665. You think that, so far, the magistrates are influenced by their feelings, and that the exhibition of their feelings has demoralised the police?—Yes, I do. I think the police look to the magistrates for preferment, and I think they endeavour to shape their course of conduct so as to give satisfaction and pleasure to the magistrates.

1666. This force in Belfast is not a local force, but part of the Royal Irish Constabulary?—Yes.

1667. I think there are something like 750 there now?—Yes.

1668. And they are all, more or less, under the demoralising influence of the unpaid magistracy you say?—Yes, we had some painful instances of that during the late riots.

1669. You mentioned, in your evidence, something as to the practice of canvassing magistrates; what, of your own knowledge, do you know of that practice?—I know that I have been frequently canvassed myself and I have declined to go.

1670. In what respect have you been canvassed?—To go to the bench when a person had a case up for trial.

1671. By whom?—By litigants, by prisoners, or friends of prisoners.

1672. Prisoners' friends of what class?—I could scarcely tell you of what class, all classes.

1673. Both Protestants and Catholics?—Yes, both Protestants and Catholics.

1674. You have been canvassed by Protestants, have you?—Yes, I have.

1675. Could you give an instance of that?—Yes, I could; but I am not going to state names here at this Committee. I could give you two or three or more.

1676. Very well, if you object; when the cases come before the magistrates there is nothing on the charge-sheet indicating the creed of the person charged?

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—No, there is not; but, as I said before, when a policeman comes up before the court and states, "I arrested so-and-so at such-and-such a place," the locality is known, and an opinion can be pretty accurately formed of the religion of the man who was found disorderly or guilty of any particular crime in that particular locality.

1677. That is the only way, is it; any paid magistrate acquainted with Belfast would very soon acquire that knowledge of the different districts, would he not? —The same would be another guide.

1678. Do you speak as to the feeling of any other part of the inhabitants of Belfast except as to your own creed?—Well, I have reason to believe that I am quite correct in stating that, supposing matters were changed, the Protestants would not have confidence in Catholic magistrates, and I think the same thing would hold good on the other side.

1679. But as to the removal at present of the existing magistrates, you express no opinion beyond that of the party whom you represent?—I speak for my own party.

1680. Would you just look for a moment at Section 5 of the Bill as amended, "Where it shall appear that after the passing of this Act any person has been killed, or maimed, or injured in his person by any persons riotously and tumultuously assembled together in the borough of Belfast, such compensation as the watch committee think just shall be paid to the personal representative." I suppose you see from that that the ratepayers of Belfast would be made liable for all personal injuries received from persons riotously and tumultuously assembled?—Yes.

1681. Are you in favour of that clause?—Yes.

1682. That it should be as general as it is?—Yes.

1683. That in the case of three or more persons riotously assembled, or in a strike, injuring a man whose views are opposed to theirs, for instance, what is commonly known as a knobstick, compensation should be awarded in such a case as that out of the pockets of the ratepayers?—Well, I would prefer that it were "arising out of party cases."

1684. You would prefer that some restriction should be placed upon that clause; your words are that you would prefer it to be limited to party cases?—Yes, I think it is, perhaps, too general.

Cross-examined by Sir Richard Wyatt.

1685. With reference to your being canvassed, you objected to give the names of the persons who canvassed you; would you be good enough to state to the Committee the class of persons who canvassed you?—

Chairman.] He has done it.

1686. Sir Richard Wyatt.] Was he a gentleman or a man of a lower state?—I have two in my mind at present who are engaged in the liquor traffic business, and both Protestants.

1687. May I venture to ask whether you looked upon that as an insult canvassing you; do you mean to say that any man of position would venture to approach a judge and canvass him in his particular interest; is that what you wish to convey to the Committee?—What I wish to convey to the Committee is this—

1688. Perhaps you will kindly answer that question, and give any explanation you please afterwards?—I think it is an insult to a magistrate to be asked to go to the bench.

1689. May I venture to ask the treatment he received at your hands?—I did not attend.

1690. Did you resent it?—I did not kick him out of the house.

1691. I am very much surprised you did not; I should?—I declined to go.

1692. Mr. Sartou.] I suppose you are familiarised with it in Belfast?—Oh, yes.

1693. Sir James Corry.] I only want to ask Dr. Dempsey one or two questions, because I know that Dr. Dempsey's opinion is so strong that there is very

very little hope of changing it. Even assuming any body could be formed in Belfast that could give confidence to the population, you would not approve of it, would you?—I think it would be quite impossible to form a body to give satisfaction on the lines of the proposed watch committee; quite impossible. If you had too many Catholics on it the Protestants would have no confidence in it, and if you had too many Protestants the Catholics would have none. Therefore, I think you are on the horns of a dilemma, and, therefore, I think the best course to pursue is to give the jurisdiction to the Commissioner of the Police, and make him responsible to the Government.

1694. Of course I understand you have expressed your own opinion, and the opinion of the party you represent, with reference to the withdrawal of the borough magistrates from the bench, but do you think that it is the opinion of the majority of the inhabitants of Belfast?—I should say it is not the opinion of the majority of the inhabitants of Belfast, because I think the majority have been pretty well satisfied with the treatment they have received at the courts, but that is just the thing we complain of; we think their treatment has been probably too good, while in the case of the party I represent their treatment has not been so good as it might have been.

1695. Then I infer that your opinion is that only the opinion of the minority should prevail?—What we want is peace and harmony in Belfast; whether you say it is the opinion of the minority, or whether you say it is the opinion of the majority, I do not care. But I have no conviction stronger on any question than I have on this: if you want to establish peace and goodwill among the people of Belfast, and put an end to these party disturbances, you must not appoint a local tribunal composed of men of different shades of politics and religion for sitting in that court; they would always disagree in their decisions, and instead of allaying public feeling would intensify it.

1696. I suppose you have known it to be the case that Roman Catholics disagree with the decisions of even the Roman Catholic stipendiary magistrate, and *vice versa*?—Yes, I suppose it is quite possible. We all agree or disagree on questions. I do not think we disagree on matters that are very vital.

1697. You have stated that you prefer instead of the watch committee that the whole duties that are set forth in this Bill for the watch committee should be in the hands of the Chief Commissioner of Police?—Yes.

1698. Do you think that there should be no person between him and the public?—Yes, I should have the Inspector General. He would be responsible to him. The Inspector General would be between him and the public.

1699. The Inspector General does not reside in Belfast?—I would have the proper discharge of his duties and good conduct guaranteed by his responsibility to the Government; he should not be afraid of the public.

1700. Do not you think that if the Chief Commissioner of Police, on information that he thought was perfectly satisfactory, proclaimed a Nationalist meeting, great indignation would be felt by the Nationalist party at such treatment as that?—If he was justified in the course he had taken I do not think he might mind what sort of feeling would be entertained towards him.

1701. Certainly; the same thing would apply on the other side?—My objection is to a divided responsibility.

1702 Mr. Campbell.] Do you think it is not possible to have a watch committee that would not divide the responsibility with the Commissioner as regards the maintenance of order?—I cannot see how you are to appoint such a committee. If you appoint them of one section of the people, the other section will have no confidence in them.

1703. If the watch committee was composed in such a way as not to suggest the idea of whether they were Catholics or Protestants, would it not be of some assistance to the Commissioner to have such a committee?—Belfast is so unlike any other place that religion enters into everything.

1704. If there were no nominated members by justices of the peace of the borough, and none by the town council, would your opinion be changed?—Well, I could see no advantage from a body of that kind.

1705. We have had evidence to the effect that a Commissioner of Police would require some one to be as it is called a "buffer" between him and the

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people; you do not see any force in that?—I would rather cast the entire responsibility upon the Commissioner of Police. The buffer is the thing I want to keep away, because I think he will do his duty better if he has no buffer.

1706. *Chairman.*] You say the inspector should not mind public opinion if he is doing his duty?—He ought not to mind it if his conscience is all right.

1707. At the same time you tell the Committee that no Roman Catholic justice of the peace in Belfast would be likely to join the watch committee if he were appointed to it, because if he did he would become a most unpopular man?—Yes; but they are two very different cases. It is a voluntary thing on the part of any citizen to take on duties of that kind of a gratuitous character. If a town inspector or a chief commissioner is appointed, he will be a man who is paid a salary, and if he thinks the position with all the criticism that may attach to the position worth the salary, he of course should take it under those circumstances and under those conditions.

1708. Then does nobody at Belfast perform any public duty or do anything from public spirit, but only those who are paid?—Oh, yes.

1709. Do you take the position of a justice of the peace with the idea of doing your duty honestly, simply for convenience?—There are certain duties we do discharge without pay. I discharge a good deal myself in my own line as a medical officer to one of the hospitals at Belfast, but if I was subject to public criticism daily, if I happened to be mixed up in a way that would expose me to that criticism, I should hesitate certainly before I would accept an honorary post that would entail no credit or honour with it.

1710. *Sir James Corry.*] Do you think the pay would make all the difference?—If you engage a barrister who is to get a large salary, and he accepts the position, he should be prepared to accept the responsibility of it also.

Mr. THOMAS McCLELLAND, J.P., sworn.

Examined by Mr. Sexton.

1711. You have lived for many years in Belfast?—Nearly 30.

1712. I believe you are President of the Northern Law Society?—Yes.

1713. You are a practising solicitor?—I have been a practising solicitor for upwards of 50 years.

1714. You have been for a long time a justice of the peace for the borough?—Seven or eight years. I never sought the office, but I was asked to take it because I was president of our society.

1715. The solicitors of the north?—Yes.

1716. I believe you are president of that society?—Yes.

1717. You have given a good deal of consideration to the question of the riots, and the Report of the Royal Commission?—Yes; I was examined as a witness before the Royal Commission.

1718. Do you generally adopt the recommendations of the majority of the Commissioners' Report?—I approve of the recommendations of the majority of that Commission.

1719. Do you consider that the public interest requires that the recommendations of the four Commissioners should be generally carried into effect?—I expected to see legislation on the lines of the recommendations of the majority of that Commission, but the Bill before me does not seem to follow the recommendations of that Commission; it appears to be a mixture of the recommendations of the other, the dissenting Commissioner and somebody else; I do not know who.

1720. I believe he differed on nearly all the material points from the majority?—I was present a good deal in the court when he was there, and his questions showed me that he had different ideas from the other Commissioners, and crotchets, in fact, I thought they were, and he seemed to follow those crotchets.

crotchets up, and his neglect to join in the Report showed itself in that way; then he made a separate Report after a very long interval of time.

1721. So far as the Bill departs from the recommendations of the four Commissioners, you disapprove of it?—Yes

1722. If it were made to accord with the recommendations of the majority of the Commissioners, you would generally approve of it?—I would.

1723. Do you agree with your fellow justice, Dr. Dempsey, that the body of justices, of which you are a member, ought to cease to adjudicate in Belfast?—I said so before the Commission, that they ought no longer to act as justices. I thought there was no honour in it, and that they were really in the way; and I have had considerable experience of the way in which magistrates do their work in Dublin. The judicial magistrates there, who are barristers of a certain number of years' standing, and the divisional magistrates there, give great satisfaction to the public.

1724. Do you think that Belfast has now a community important enough and large enough to follow the rule of other large cities?—I think that Belfast is now important enough and large enough, and that it is now ripe for a jurisdiction of that description.

1725. Even if there were no riots there?—Even without respect to riots at all. I think the magistrates ought to be what I call judicial magistrates, and not executive magistrates.

1726. Simply two paid magistrates?—Two paid magistrates, who would sit *de die in diem*, and hear the cases, without being affected by the political movements about them in any shape or form.

1727. Do you agree with Dr. Dempsey, that the local magistrates ought not to interfere in times of disturbance in the streets?—Most decidedly. I think their interference is pernicious. I have acted in what is called street duty several years, but I never saw the slightest use it was. Whenever a riot took place you could really do nothing. What could you do with a riotous mob? If the Riot Act was read it had very little effect upon the parties, one way or the other; and the very fact that I might have influence over certain portions of that crowd would in itself tend to exasperate the people of the opposite view. They would say, "What right has that man to be there, putting these rioters on the back, and encouraging them to be on the streets? The streets ought to be cleared and there should be no tampering with rioters. They ought to be sent away from that part of the town forcibly, and not be proceeding in this way." "My good fellows, go here," or, "my good fellows, go there," or, "do this," or, "do that," but, go, and be off with you; and if you do not, we will make you."

1728. You think the intervention of the local justices, during the riots in the street, tended rather to encourage than to discourage riot, and to prolong disorder rather than shorten it?—Most decidedly.

1729. What do you think should be the qualification of the two paid justices?—Well, I consider, speaking for my profession, that they ought to be barristers, or solicitors of 10 years' standing. The Bill says they shall be persons of seven years' standing at the bar. I would say that they ought to be barristers or solicitors of ten years' standing.

1730. Removable at the pleasure of the Lord Lieutenant?—Removable at the pleasure of the Lord Lieutenant, just as it is here; during the pleasure of the Lord Lieutenant.

1731. Do you think they ought to sit together when adjudicating under the Criminal Amendment Act?—No, they ought to sit separately.

1732. Under the Criminal Law Amendment Act, the Coercion Act, as it is called popularly, of this year; cases arising under that Act?—As to cases arising under that Act, the machinery is perfectly different. I understand there are magistrates to be appointed pursuant to that Act who need not be lawyers at all.

1733. The last paragraph on the first page of the Bill will allow either of those two magistrates to exercise all the powers under the Crimes Act which will be exercised elsewhere by two?—Yes.

1734. Do you consider that what is usually done by two magistrates in other
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matters ought to be done by one under the Crimes Act?—I think one would be quite ample and quite sufficient.

1735. You have considerable personal experience of the bench in Belfast?—I attend regularly every Friday. I have the rota which I saw Dr. Dempsey produce, and I am on the rota for Friday, and I have attended regularly every Friday since this rota, and before it. We have two courts, but I sat always on Friday in the summons court. I never went to the custody court scarcely at all. I disliked going there, because it was all one thing; drunk and disorderly, and sending people away; so that I always went to the summons court, and my experience as a practising solicitor gave me, I thought, considerable advantages over any other magistrates, because I could hear cases there of a description that I had frequently fought myself when I was practising as a solicitor. I had considerable experience of that sort of thing, and I exercised my judgment to the best of my ability; I do not know whether with the confidence of the public or not, but I did the best I could.

1736. You have heard the evidence of Dr. Dempsey, in which he gave his reasons for thinking that the local justices should no longer adjudicate?—Yes, I heard Dr. Dempsey's evidence, but as to canvassing the justices, it is a thing I have had very little experience of. No one ever attempted to canvass me. Any man that ever attempted to canvass me, I told him, "If you want me to hear the facts of your case, when the case is called I will surely leave the bench, because I will not try a case by having heard it *ex parte*;" and upon that I never had any trouble.

1737. Do you think that the abstention from canvassing you arose from any view of your personal character or temper?—Well, I do not know; they soon found out that I would not listen to them, and they did not come near me; but I must say this: I have seen gentlemen go on the bench who have come there to adjudicate on cases when it was not their day to be on the rota, and I have said in half fun and half earnest at them, "What job are you on to-day? or what do you want to perpetrate now?" or something in that way. And they would explain. I never liked to see a man coming off his usual day, and when I did I always had a suspicion that there was something in the wind, and that he wanted to favour some person or other. Sometimes I discovered that there was something of that kind; and it always raises a man's back, and he always goes against anything like that, and that is the way I felt. It did not give fair play to the litigants, because it persuaded me that there was some attempt to thwart the ends of justice, or to alter the facts as they were to be brought out in evidence, and on that account I did not know that the man got fair play, or that the party got fair play.

1738. "What job have you come to do to-day?" is that a common observation with regard to the bench in Belfast?—I would say that under my voice, "What job are you on to-day?" or, "What is in the wind to-day?" or something like this, as much as to say, "What business have you here?"

1739. Then your impression is, I suppose, that the canvassing of justices is pretty common?—I have not a shadow of a doubt at all but that it is done.

1740. Mr. Lawson.] I gather that, in the first place, an attempt was made with you?—It was several times attempted with me, not perhaps in political cases, or anything of that kind, but in certain cases that they thought I might favour the party in some way or other: "You'll surely be at the bench on such-and-such a day," or, "I want to tell you my case." I say to them, "If I hear your case, the moment it is called I will leave the bench, because I have heard it *ex parte*; take your choice. I will hear it now if you like, out of courtesy, but I will not adjudicate on it."

1741. Mr. Sexton.] Do you generally follow Dr. Dempsey as to the want of uniformity in sentences, owing to the rota, and as to the insufficient attention given to the cases?—There must necessarily be a want of uniformity. One magistrate has one view of a case, and another magistrate has another. That will arise with any body of judges, no matter who they are, and it does constantly arise; but when magistrates of the borough of Belfast come to sit, and adjudicate on cases only once a week, what knowledge can they have of
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the practice of the court, or of the proper amount of punishment or fine that ought to be put on. It is like an old story that I recollect—

1742. *Chairman.*] I think we must be spared old stories, please. Our time is very short. Let us stick to the business?—Very well, I will not mind the old story. It was about banking by the month.

1743. *Mr. Serton.*] Do you generally adopt the evidence of Dr. Dempsey with regard to the local bench?—That the magistrates should not sit at all.

1744. Now about the watch committee, do you object to that?—The watch committee I object to entirely. I object to its construction, the members of it, and the way they are selected. It seems to me to be a wholly irresponsible body of men, and they are to be appointed annually, so that the fact is that there would be canvassing for the appointment of these men every year, and there is quite enough of that in Belfast without having any more of it; canvassing for situations and canvassing for places. There would be canvassing first the Lord Lieutenant for the four members that he has the nomination of. He would be sure to be beset by all sorts of persons to have this one and that one appointed, and as to the appointment by the justices of the borough; I totally and entirely object to that. I think the justices of the borough should have nothing at all to do with the appointment of the watch committee, that is, if we are to be satisfied with one at all. And then, again, two by the town council, the same objection arises to that, the canvassing. The great point is, would it ensure the confidence of the public? In my opinion it would not. It would be quite the contrary. The great point is to ensure the confidence of the public.

1745. Do you think it would be difficult for the Lord Lieutenant, if he were disposed to endeavour to redress the balance of creed to some extent, to get suitable Catholics in Belfast to consent to act upon that watch committee?—If the Lord Lieutenant appointed strangers and sent them from a distance to act they ought to be paid; they would require to be paid. If he selects four he must select gentlemen on the spot to do the work, otherwise, as I say, they must get some compensation for their time.

1746. What reply do you give to my question whether it is likely that suitable Catholics could be induced (local persons) to act upon that committee as at present constituted?—It is a matter of difficulty. However appointed they would not give satisfaction to the public, nor would they have the confidence of the public.

1747. Do you think that in a committee of twelve, the Lord Lieutenant having the nomination of four, Catholics who possess the confidence of the Catholic body in Belfast would be willing to act under such circumstances upon such a committee?—I cannot answer that question as to what Catholics might do. Supposing that two of the four were Catholics and two of them Protestants, the Catholics might say, We are in such a minority here that it is perfectly useless for us to attempt to act. Is that the idea?

1748. Yes?—I think that two Catholics, out of a body of 12 men, would find themselves like fish out of water, and they could not effect anything at all that they thought was right and proper.

1749. And in anticipation of that, that they would be unwilling to act?—They would be unwilling to act.

1750. Do you agree with the other witnesses examined to day, that the preventive powers of the fourth clause ought to be confided to the Commissioner of Police?—I have come to the conclusion that that is the only solution of what should be put in the room of this watch committee. It should be confined to the Commissioner of Police. The Police Commissioner, who is in fact now in Belfast, practically carries on the whole police business of the town. Mr. Cameron (I think that is the gentleman's name) is the Chief Commissioner of Police there, and he manages the entire town. He manages with regard to all processions, and he manages with regard to various other things, and he could, if he had liked, on the last 12th of July, in accordance with that, have regulated the procession and stopped it; he could have regulated the erection of arches, and sometimes it is necessary (and magistrates have interfered) to cause funerals.

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raids to be confined to the relatives of the deceased, and not to have any other bodies of men walking in procession at those funerals. That is a subject sometimes of very serious annoyance, and sure to create disturbance.

1751. It has been stated here that the watch committee would be useful as a buffer between the Commissioner and the public; does it occur to you that it might be more an impediment for him to stumble over?—I think instead of being a buffer or anything of that description, they would really create a great deal of disturbance themselves.

1752. Do not you think it would be better for the Commissioner frankly to accept the responsibility of keeping the peace rather than have an executive body which might lay upon him in the public view a responsibility which did not fairly belong to him?—Most undoubtedly. If he were to be interfered with by the watch committee it would embarrass him very much, whereas he is now responsible to his officer; that is to say, to the Chief Commissioner of Police, and answerable to the public and to public opinion; he would then only be answerable to this moveable body which I think highly unsatisfactory.

1753. And they would be answerable to no one?—They would be answerable to no one; they are irresponsible.

1754. Of course they could be moved at the end of a year, but in a month fatal harm might be done, might it not?—Any amount of damage might be done in that time.

1755. Do you think the Commissioner should be a magistrate?—The Commissioner should be a magistrate, so as to give him power to read the Riot Act, and such like things, and to take information that might be required.

1756. To what authority would you give the question of compensation?—The question of compensation I have considered, and I always objected to the town council hearing those compensation cases for malicious injuries. The machinery in counties is quite a different matter altogether. It is regulated there by presentment sessions and the grand juries of the counties. But in this case I would suggest that the proper course would be to appoint a person to arbitrate; a judicial arbitrator appointed by the Board of Trade would be the person, and the proper person, to try those cases of compensation for malicious injuries; that gentleman is a person whom no person could control, and he would have the confidence of the public.

1757. But you would give an appeal to the judge of assize, would you not?—I would give an appeal to the judge of assize with a jury of the county, not of the town; a jury of the county of Antrim, and the judge of assize of the county of Antrim. It says here that the appeal is to be to one of the going judges of assize of the county of Antrim. No judge will try a case of that description without a jury, and there should be power to have either a special jury or a common jury of the county.

1758. Is there anything you wish to add?—That is all I have to say.

Cross-examined by Mr. McClelland.

1759. I see you are desirous to add a qualified solicitor of 10 years' standing?—Yes, I think they ought to be fully qualified.

1760. You are a solicitor of 10 years' standing?—Certainly.

Chairman.] He said about 50 years.

1761. Mr. McClelland.] You would be quite fully qualified yourself for this important office?—Yes, I would, but I do not seek the office because I would not be appointed.

1762. Sometimes we ask for offices?—

Sir James Carry.] Which we do not get.

Witness.] I do not think they would appoint a man 75 years of age.

1763. Mr. McClelland.] You gave your evidence before the Commission, I think?—I did.

1764. At

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[Continued.]

1764. At Question 8886 (at least it is not a question, it is an observation) I see this: "I think that what was said was that some of the magistrates attended the police court on days for which they were not on the rota"—Yes.

1765. Then Mr. Campbell (who was an advocate present, I think) on that said, "and that they did it for party purposes"—I never read the evidence since I gave it, so I do not know what is there.

1766. I think I am quoting your answer; it is put under the head of the "President." The President says, "What the witness said was, that magistrates came on days for which they were not on the rota, or on some day when some cases of a party character were about to come before the bench. (Witness.) I even went further." It is printed, "I," but it is clearly "it." "It even went further, for it was insinuated that the magistrates were beaten up, and asked to attend in those party cases. As I have said, I have been very regular in my attendance at court, and I never saw anything of the kind"—I say so still; I never saw anything of the kind; no partiality.

1767. No beating up of the magistrates?—I am quite convinced there was beating up.

1768. I am quoting your words; perhaps the Chairman will refer to see that I am quoting the actual words?—What I said was that I had no actual experience of it.

1769. "It even went further, for it was insinuated that the magistrates were beaten up, and asked to attend in those party cases. As I have said, I have been very regular in my attendance at court, and I never saw anything of the kind. I must say this also, with regard to the resident magistrates, that I never had the slightest difficulty with any of them; they have always worked with perfect accord and concurrence with the other magistrates, and I have always found the resident magistrates pay every attention to the suggestions of the local magistracy, and never treated them with any want of respect. On the bench we are all equal, one magistrate is just as good as another, and I hold myself equal to any of my brother magistrates when I am on the bench"—I repeat all that.

1770. Then, again, there is another answer of yours, "Don't you think that it would be an advantage if the services of the borough magistrates could be rendered in the summons court? (A.) Well, I would like to have the administration of justice in a borough like Belfast to be above suspicion. There are imputations of that kind, of justices coming in in the manner described, although the rota precludes the attendance of particular men for this particular day; that I do not think is desirable." That is Question 8918, and this is Question 8919, "Have you observed yourself anything of the kind?" and you say you have not.

1771. *Sir James Corry.* You referred to the report of Commander M'Hardy as not being worthy of much attention?—I did not altogether say that.

1772. You said you attended the court very regularly, and that you observed that Commander M'Hardy was very crotchety, and took a different view from almost all the other Commissioners?—Yes, I saw all that. He took a different view; he took a different line from the other Commissioners.

1773. Do not you think that that very likely arose from his being a practical police officer, and that therefore he would perhaps take a different view from the others?—I looked upon it exactly as you say, that is, because he was a martinet and a police officer he took a different view from the other men.

1774. Was it observed that any of the other Commissioners took very strong views upon the Commission?—Some people said they did, but I did not remark anything particular.

1775. But you are aware, I presume, that there was just as much criticism upon the way in which some of the other Commissioners put questions as that Commander M'Hardy?—There was no doubt.

1776. To which of the other Commissioners does that apply; to the President, or was it to any of the other Commissioners?—There were insinuations cast against the President.

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[Continued.]

1777. Mr. *Laurson*.] He was an English judge, was he not?—Yes, Sir John Day; and also against Mr. Adams; it was said that he seemed to take a lively interest in the business, and that some people he paid attention to, and others he did not.

1778. Sir *James Corry*.] You say that you have been in the streets at different times when processions were going on, and that you did not find that your presence there was of very much avail?—Perfectly useless, in my opinion.

1779. Did you read the Riot Act yourself?—Never; I would be very sorry to take the responsibility.

1780. Even though a magistrate, you would not like to take the responsibility of doing that?—I would not like to be in such close quarters as that.

1781. Your great experience, no doubt, led you to go to the summons court as a solicitor. Are you aware whether all your judgments gave satisfaction there, or not?—I could not say.

1782. Have you ever heard of any dissatisfaction?—The advocates on each side are always dissatisfied with either one or the other, but I think, as a rule, my judgments did give satisfaction. I never knew any of them appealed from, except one, and that was reversed.

1783. I suppose, then, you are of opinion that it would be very much better if all the local magistrates had a legal training like yourself?—Certainly; they ought to have legal training.

1784. And that no man is competent to be a magistrate who has not had a legal training?—I do not altogether say that, because I have had great pleasure in sitting with gentlemen who would give me the benefit of their local experience and local knowledge, as merchants and otherwise, and I have found great advantage in having the benefit of their advice, but at the same time I look to the way the business is carried on in Dublin. It gives great satisfaction there, and nobody complains.

1785. Your evidence before the Royal Commission was so full that I do not think it necessary to ask you any further questions?—

1786. Mr. *Whitley*.] As I understand you, you would leave the functions of the watch committee in the hands of the head of the police. Can you tell me any town, county, or place in England, or in Scotland, where such a proposition has been ever carried into effect?—I have no great experience as to that. I do not know, and do not pretend to know. I cannot say I ever inquired.

1787. Mr. *Sexton*.] Does not the Commissioner of Police in Dublin exercise complete control?—I do not know whether he tries cases of malicious injury or not?

1788. Is there any body of persons in Dublin who has any power to control the action of the Commissioner of Police in dealing with riot?—None, I believe; he has full power.

Chairman.] He has a buffer.

Mr. *Sexton*.] So has the Commissioner in Belfast.

Sir *James Corry*.] No, no.

1789. Mr. *Sexton* (to the *Witness*).] Would you as a Protestant justice say that one of the two paid magistrates had better be a Catholic?—That is really a question I never thought of, but in order to give satisfaction in a town like Belfast I think they ought to be divided; there ought to be one one way and the other the other.

Sir *James Corry*.] There is no difference upon that subject. None whatever.

1790. Mr. *Campbell*.] You make a suggestion as to the qualification for a police magistrate?—Yes.

1791. You

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[Continued.]

1791. You say that he should be a barrister or a solicitor of ten years' standing?—He should be a barrister or a solicitor of ten years' standing.

1792. That would make him competent to be appointed resident magistrate if he had that qualification?—Yes.

1793. You do not object to the resident magistrate being placed in this position?—Not if he has been a barrister. There are resident magistrates in Ireland who are barristers and have been barristers.

1794. The Bill before us contains the words "practising barrister," that word "practising" you would exclude?—Practising at the time of their appointments.

1795. Would that exclude the resident magistrates?—I do not know that it ought to, if they were appointed when they were practising as resident magistrates for some portion of Ireland; that would fully qualify them.

1796. But you think the important thing is to give the appointment to a man having legal education or legal knowledge?—Legal knowledge.

1797. Mr. Lawson.] Do you think that the arbitrator, who you say should assess damages in case of injury to person or property, should be a special and separate officer perpetually resident in Belfast?—No, not resident in Belfast; it does not follow at all that he should be resident there. The Board of Trade appoint what is called a Government arbitrator to hear railway cases, railway compensations, and it does not follow that he should belong to the place where he is to act; he is the Government arbitrator.

1798. He is the Government arbitrator in Board of Trade cases?—Yes.

1799. Chairman.] You say that the present Commissioner of Police, Mr. Cameron (who I know is a most excellent man) exercises the whole control over the town of Belfast?—At the present moment, I understand, he manages the entire of Belfast.

1800. Has Mr. Cameron got power now by law to prohibit band-playing in Belfast?—Yes; and he exercised that power.

1801. Is that a power given to him by law?—Yes.

1802. You are sure of that?—By the Belfast Borough Act, I believe; Mr. Black can tell you.

1803. Are you quite sure of that: you are giving your evidence now as a professional man, and on oath, and I should like to know whether that is true or not?—He did not exercise it on the 13th July.

1804. I have not asked you that question. I asked you whether he has the power by law to prohibit band-playing?—I am not aware what his power is, but I say that he did make a sort of direction that certain bands were not to be allowed to go through the streets.

1805. Was not the town council empowered to pass bye-laws for the preservation of the peace of the town?—The town council have power to pass bye-laws, and do.

1806. Did the town council pass bye-laws?—They have passed bye-laws.

1807. Have they ever passed any bye-law giving power to anybody to prohibit bands?—I am not aware; they have exercised it.

1808. Have they passed any bye-law giving power to anybody to prohibit or regulate the playing of bands, the erection of arches, or with regard to processions?—They have exercised it. I believe they have the power.

1809. Mr. Lawson.] The mayor and magistrates have power, have they not, to stop processions, on an information?—Yes, on an information, most undoubtedly. On a sworn information they could stop anything.

13 August 1887.

MR. HENRY THYNNE, re-called; and further Examined.

1810. *Chairman.*] Has the present Commissioner of Police in Belfast the power to stop hand playing by law?—Not directly, but indirectly, he has, as being an obstruction.

1811. As being an obstruction, but in no other way?—No.

1812. I think when you say as an obstruction it has to be proved that some obstruction has been caused; some thoroughfares closed, or some injury done to a horse, or to traffic in some way or other?—There must be some obstruction; it is necessary to satisfy the magistrate that it is an obstruction.

1813. *Mr. Lawson.*] It is not merely a formal obstruction. It has to be regularly proved?—He must satisfy the Court that it is the cause of an obstruction.

MR. EDWARD HUGHES, J.P., sworn.

Examined by Mr. Sexton.

1814. You are a manufacturer in Belfast?—Yes.

1815. And a justice of the peace for the borough?—Yes.

1816. You are native of the town, and have lived there most of your life?—Yes.

1817. Do you generally accept the recommendations of the four Commissioners?—I do, as being just.

1818. Do you agree with your fellow justice, Dr. Dempsey, that the interest of public order requires that the local justices should cease to adjudicate upon the bench at Belfast?—Yes.

1819. For the reasons assigned by him, do you adopt them generally?—For the reason that they do not give satisfaction to the people.

1820. Do you think that justice would be satisfactorily administered by two paid magistrates, one a Protestant, and the other a Catholic?—Quite so.

1821. And that they should have no other duties to perform but their duties on the bench?—Quite so.

1822. That the borough justices should not interfere either on the bench or in the streets?—Quite so.

1823. Do you think the watch committee would work satisfactorily?—No; it would be impossible to give satisfaction.

1824. Do you think there should be no watch committee?—I do.

1825. Would you accept a place on that watch committee?—No.

1826. Do you think any Catholic justice in Belfast would?—I really do not know; but it would be a place of warfare.

1827. Do you think any respectable Catholic in Belfast would take a place upon a committee in which he would be in a small minority, and in which the majority would have power to act in political affairs in the manner described in the Bill?—If he did take such a place he would retain it a very short time.

1828. Do you think the Commissioner of Police ought to have the preventive powers contained in the 4th Clause, without any let or hindrance from other persons?—Yes.

1829. What tribunal would you suggest for the assessment of compensation for malicious injury?—The arbitrator suggested by Mr. McClelland, and by the Commissioners, the Government arbitrator.

1830. In preference to the Recorder?—Yes.

1831. But you would take either the arbitrator or the Recorder?—Either one or the other, and I would be satisfied with either one or the other.

1832. With

18 August 1887.]

Mr. HUGHES, J.P.

[Continued.]

1832. With an appeal to the judge of assize?—Yes.

1833. Do you consider that if the paid justices are placed upon the bench, and if the Police Commissioner gets these powers for the prevention of disorder, the probability is that there would be a very slight use for the law of compensation for malicious injury hereafter?—That is my belief.

Cross-examined by Mr. McConnell.

1834. You are a borough justice for Belfast?—Yes.

1835. How many years have you been on the commission?—Seven or eight.

1836. You are of opinion that the magistrates should cease to act judicially?—Yes.

1837. That would not affect you very much as regards attendance on the bench?—Quite so.

1838. On looking at the Return I do not find that you were once acting in the discharge of your duty as a magistrate in 1885?—Quite so.

1839. I do not find that you were once discharging any duty as a magistrate in 1886?—Quite so.

1840. And I do not find that you have been once on the bench so far as 1887 has gone?—Quite so.

1841. You have given an opinion about compensation for malicious injuries?—Yes.

1842. Have you ever been present either before the Council or at any place where the question of compensation has been discussed?—I have not, but I have a knowledge of the opinion of my people.

1843. *Chairman.* What do you mean by your people?—People whom I represent, or of whom I am one of the representatives; the Catholic people of Belfast.

1844. Mr. Sexton.] May I ask if your absence from the bench is to be accounted for by the reason Dr. Dempsey gave, namely, that he found himself unable to influence the decisions of the bench in a manner that he thought just?—It is not.

1845. That is not your reason?—It is not. My reason is that I had no taste for the bench.

MR. WILLIAM O'HARE, sworn.

Examined by Mr. Sexton.

1846. You are a trader and owner of house property in Belfast?—I am.

1847. Are you in general agreement with the evidence given here to-day?—Yes; I approve of Dr. Dempsey's statements to the Committee. There is one point in relation to the Commissioner or judge who may award damages. I think you have before the House at present a Bankruptcy Bill applicable to Belfast, and I think if it is found that the Recorder has not time to discharge the duties of awarding damages, the duties may be given to the Judge of the Court of Bankruptcy, assuming that Bill to become law.

1848. But you generally agree that the borough magistrates ought not to adjudicate further, that there should be no watch committee, that the Commissioner of Police alone should have the powers of the fourth clause, and that a tribunal entirely independent of the town council should assess compensation?—I do.

1849. That is the general bent of your mind upon the subject?—Yes.

1850. Do you wish to make any suggestion on the law of damage as to the extension of the time for making the declaration?—Yes, I think that the time at present is too short. I think there ought to be an extension of time, but

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that

13 August 1887.]

MR. O'HARE.

[Continued.]

that the council should have the power to enter at once, and take any step they may think necessary in order to assure themselves that the claim is well-founded.

1851. Do you wish to recommend that certain provisions of the Riot Damages Act of last year should be applied to Belfast?—I do. I think that that part of the Act containing retrospective compensation ought to be made to apply to it. I think there are many parties in the town who suffered damage by the last riots for which they have received no compensation whatever.

1852. *Chairman.* Would not this Bill meet your views in that respect?—I think it is not retrospective. The clause applying to compensation is not retrospective.

1853. *Mr. Sexton.* You think persons injured, for instance, in the riots of last year should be compensated?—I do. I think it is utterly unfair that persons who suffer injury from no fault of their own, and who suffer loss and damage, should not be sufficiently compensated as they were in the case of the London riots.

1854. Do you think also that certain provisions of the Borough Funds Act should be incorporated in this Bill?—Yes.

1855. What provisions?—As has been explained by all the witnesses examined to day, we have no representation, no influence, and no control over the town council. Measures are promoted, from time to time, by the town council, and we have no means of "voicing" our desires. If the Act in question which is applicable to boroughs in England were made applicable to the borough of Belfast, the town council would be bound to call a public meeting of the citizens before promoting any legislation. At present they can promote legislation without consultation with the public of the borough at all.

1856. I do not think I will ask you anything further?—There is one point with regard to the closing of public-houses; I think there ought to be a respectable money penalty put on for disobeying the orders of the magistrate.

1857. There is a fine of 20 *l.* provided for in Clause 10?—I quite approve of that, because I know, as a matter of fact, that in the last riots though the order was largely obeyed in the town, it was largely disobeyed also.

Cross-examined by Mr. McConwell.

1858. I understand your principal suggestions are that the tribunal to decide the question of compensation should be the bankruptcy judge, who is not yet appointed. Am I right in that?—I said assuming that the Bill becomes law.

1859. Assuming that the Bill becomes law, that is a proper tribunal, you think; and the other suggestion was that the damage clauses should be retrospective, and should apply to the last riot?—Yes, I think so.

1860. May I ask you the amount of your house property; the rateability of it, I mean?—About 100*l.*

1861. One hundred pounds a-year?—Yes, 100 *l.* a-year.

1862. *Chairman.* You want to make the claim for damages to property retrospective?—Yes.

1863. Do you want to make the claim for damages to life and limb retrospective also?—I really did not think of that.

1864. I should like to know; if we are going to embody it in the Bill it is well to know what you really mean?—Of course you understand, that if the same things happened in the county, the persons affected would be entitled there to damages for both.

1865. You want to make the claim for compensation for damages to property retrospective?—Yes.

1866. Then I ask whether you wish to make the claim for compensation for damage to life and limb (which is also in the Bill) retrospective, and whether

you

13 August 1887.]

Mr. O'HARE.

[Continued.]

you wish that all those who were injured in the riots of last year in Belfast should have a claim on that ground equally with those who had their windows broken?—I think it would be quite fair that they should. Head Constable Gardner lost his life in the discharge of his duty, and Private Hughes, of the Sussex Light Infantry.

1867. Then you are in favour of the provision for granting compensation for damage to life and limb, both retrospectively and prospectively, of course?—Yes.

Mr. Sexton.] There are several other witnesses, but in consideration of the hour we have reached, I shall, I think, abstain from calling them. They would simply repeat the evidence we have heard.

Sir Richard Wyatt.] The honourable Member is, of course, aware that the Blue Book is before the Committee as evidence.

Mr. Sexton.] The evidence taken before the Royal Commission?

Sir Richard Wyatt.] Yes.

Monday, 15th August 1887.

MEMBERS PRESENT :

Mr. Campbell.
Sir James Corry.
Mr. Lawson.

Mr. Pictou.
Mr. Sexton.
Mr. Whitley.

COLONEL KING-HARMAN, IN THE CHAIR.

Mr. *McCowell* was heard to address the Committee in support of the Petition of the Corporation of Belfast.

The Counsel and Parties were directed to withdraw.

Clauses were proceeded with, and severally agreed to, amendments being made therein.

The Chairman was directed to report the Bill, as amended, to the House.

A P P E N D I X.

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A P P E N D I X.

Appendix, No. 1.

DOCUMENTS handed in by Mr. James H. Haslett, Friday, 12th August 1887.

MUNICIPAL REGULATION (CONSTABULARY, &c.), (BELFAST).

RETURN of the ATTENDANCE of MAGISTRATES for the BOROUGH of BELFAST at the BELFAST POLICE COURTS, during Twelve Months ending 31st August 1885.

Name of Magistrate.	Number of Attendances of each Magistrate.	Name of Magistrate.	Number of Attendances of each Magistrate.
Thomas Gappikin, esq. - - -	67	John Brown, esq. - - -	13
Robert L. Hamilton, esq. - - -	57	Wilberforce Arnold, esq., M.D. - - -	12
James H. Haslett, esq. - - -	55	Alexander M'Laine, esq. - - -	9
Thomas McClelland, esq. - - -	48	Samuel Andrews, esq. - - -	8
William J. Johnston, esq. - - -	47	Alexander Dempsey, esq., M.D. - - -	6
Sir John Preston, bart. - - -	45	William B. Ritchie, esq., M.D. - - -	3
Robert McGeagh, esq. - - -	40	Samuel Lawther, esq. - - -	2
James Ross, esq. - - -	39	John Shaw Brown, esq. - - -	1
Samuel Browne, esq., M.D. - - -	38	Alexander Harkin, esq., M.D. - - -	1
William Bell, esq. - - -	28	Thomas Sinclair, esq. - - -	1
Francis D. Ward, esq. - - -	24	Joseph H. Lytle, esq. - - -	1
Arthur Hamill, esq. - - -	14	Charles Duffin, esq. - - -	1
Robert Thompson, esq. - - -	14		

RETURN of the ATTENDANCE of MAGISTRATES for the BOROUGH of BELFAST at the BELFAST POLICE COURTS, during Twelve Months ending 31st August 1886.

Name of Magistrate.	Number of Attendances of each Magistrate.	Name of Magistrate.	Number of Attendances of each Magistrate.
Robert L. Hamilton, esq. - - -	55	Robert Armstrong, esq. - - -	7
William J. Johnston, esq. - - -	54	Alexander M'Laine, esq. - - -	7
Thomas McClelland, esq. - - -	50	William Dobbin, esq. - - -	7
Richard Paterson, esq. - - -	45	Michael O'Malley, esq., M.D. - - -	5
Michael McGeagh, esq., M.D. - - -	43	Thomas H. Brown, esq. - - -	5
Thomas Gappikin, esq. - - -	42	Samuel Andrews, esq. - - -	6
William Bell, esq. - - -	39	Samuel Lawther, esq. - - -	4
Sir John Preston, bart. - - -	36	Joseph H. Lytle, esq. - - -	4
Samuel Browne, esq., M.D. - - -	33	John Finn, esq. - - -	4
Robert McGeagh, esq. - - -	33	Thomas Shaw, esq. - - -	3
James H. Haslett, esq. - - -	32	Arthur Hamill, esq. - - -	2
John Brown, esq. - - -	29	John L. Brown, esq. - - -	2
Francis D. Ward, esq. - - -	27	William Baird, esq. - - -	2
John A. Taylor, esq. - - -	27	William B. Ritchie, esq., M.D. - - -	1
James Ross, esq. - - -	21	Jonathan Phelan, esq. - - -	1
David Corbett, esq. - - -	18	Robert W. Murray, esq. - - -	1
William McCammond, esq. - - -	11	J. P. Blackwood, esq. - - -	1
David B. Lytle, esq. - - -	11	Robert Magaw, esq. - - -	1
Alexander Dempsey, esq., M.D. - - -	10	William C. Mitchell, esq. - - -	1
Henry Thompson, esq. - - -	8	Alexander Harkin, esq., M.D. - - -	1
Alfred Joyce, esq. - - -	8	William Close, esq. - - -	1

RETURN of the ATTENDANCE of MAGISTRATES for the BOROUGH of BELFAST at the BELFAST POLICE COURT during the Eleven Months ending 31st July 1887.

Name of Magistrate.	No. of Attendances of each Magistrate.	Name of Magistrate.	No. of Attendances of each Magistrate.
James H. Hissett, esq. (Mayor) -	14	Samuel Browne, esq., M.D. -	16
William J. Johnston, esq. -	31	John Browne, esq. -	16
Thomas McClelland, esq. -	44	William McCammond, esq. -	29
Michael McGee, esq., M.D. -	48	Alfred Jappe, esq. -	12
Robert L. Hamilton, esq. -	43	David B. Lytle, esq. -	11
Sir John Preston, knt. -	40	Francis D. Ward, esq. -	14
Richard Patterson, esq. -	39	John Pim, esq. -	8
David Corbett, esq. -	38	Samuel Andrews, esq. -	8
Thomas Gappikin, esq. -	37	Joseph Lytle, esq. -	6
Robert Armstrong, esq. -	31	Jonathan Phoenix, esq. -	4
William Dobbin, esq. -	30	James Ross, esq. -	2
William Bell, esq. -	28	George Horner, esq. -	1
Henry Thompson, esq. -	27	Robert J. Hutton, esq. -	1
William Close, esq. -	25	Mahud R. O'Malley, esq., M.D. -	1
John A. Taylor, esq. -	23		

LIST of APPEALS against DECISIONS of the MAGISTRATES in the BELFAST POLICE COURTS during the Years 1884, 1885, 1886, and of that part of the Year 1887 ending 1st day of June last.

Date of Order.	Complainant.	Defendant.	Order of Magistrates.	Order of Reviewer.
1884.				
3 January -	Constable William Bell -	James Donaghy -	Fined 5s, and costs -	Affirmed.
24 " -	Sergeant George Perry -	James McElhannon -	Fined 10s, and costs -	Reversed.
28 March -	Constable M. O'Callaghan -	Robert R. Corbett -	Four months -	Reversed.
4 April -	Charles Moore -	Elizabeth Campbell -	Deceit for 3s, 18s, 19d, and 11s costs.	Affirmed.
14 " -	Constable Michael Donohue -	Samuel Wilson -	Three months -	Reversed.
21 May -	Constable John Murphy -	William Thomas -	Six months, and six months in default of bail.	Order varied to a fine of 3s, 10s, and 10s costs.
27 " -	William John Anderson -	James Hunter -	Fined 20s, and 15s costs.	Affirmed.
3 June -	" " " " -	John McDevitt -	Fined 10s, and 20s costs.	Affirmed.
9 " -	Constable Edward Moyner -	Thomas McManus -	Two months -	Varied to a fine of 1s, and 10s costs.
9 July -	Constable Thomas Kelly -	Thomas Nicholl -	Fined 40s, and 1s 6d costs.	Affirmed.
19 " -	District Inspector Bell -	Petrick McManus -	Fined 40s, and 20s costs.	Affirmed.
24 " -	Constable William Farrelly -	James, or Hugh O'Neill -	Fourteen days' imprisonment, and five years in Reformatory.	Order varied, as far as detention in Reformatory is concerned. His mother entered into a bond for his future good behaviour.
24 " -	Constable Thomas Elliott -	Thomas Larkin -	" " " " -	Same.
1 August -	John Davidson -	James McDevitt -	Deceit for 3s, 4s 6d, with 20s costs.	Appeal withdrawn.
6 " -	Elizabeth McGowan -	Edward McGillem -	Deceit for 11s, with 20s costs.	Affirmed.
16 " -	Constable Patrick Daly -	Robert Patterson -	Two months -	Affirmed.
1 September -	Constable William Maxwell -	Hugh Morris -	Two months -	Reversed.
26 " -	Constable Thomas Jackson -	James H. Harrington -	Three months -	Affirmed.
26 " -	Constable Alexander Russell -	" " " " -	Three months -	Affirmed.
24 " -	Constable Thomas Jackson -	" " " " -	Six months -	Affirmed.
26 " -	Constable William Nelson -	Samuel H. Kinsley -	Fined 40s, and costs -	Reversed.
13 October -	Sergeant R. W. Curry -	Henry Berry -	Fined 40s, and costs -	Reversed.
4 December -	The Mayor and others -	James Hildock -	Fined 10s, and costs -	Affirmed.
23 " -	Sergeant Philip Burns -	James Ryan -	Fourteen days' imprisonment, and five years in Reformatory.	Order varied, in so far as the detention in the Reformatory was concerned.

List of Appeals against Decisions of the Magistrates in the Belfast Police Courts, &c.—continued.

Date of Order.	Complainant.	Defendant.	Order of Magistrates.	Order of Recorder.
1885:				
15 January	The Mayor and others	Peter Quinn	Fined 5 <i>l.</i> , and 2 <i>s.</i> 6 <i>d.</i> costs	Affirmed.
15 "	Constable James Farrell	Patrick Duggan	Fined 4 <i>s.</i> , and costs	Affirmed.
27 March	Sarah White	William Phillips	Reversed for 4 <i>s.</i> 7 <i>s.</i> 1 <i>d.</i> and costs.	Reversed.
19 April	Constable James Black	William Carlson	One month	Order varied to a fine of 20 <i>s.</i> , and 10 <i>s.</i> costs.
4 May	James Hamilton	George John Wicks	Fined 21 <i>s.</i> , and 5 <i>s.</i> costs	Affirmed.
5 "	" " "	" " "	" " "	Affirmed.
8 "	Constable Peter Faghnam	Moore Fisher, waiter	Two months	Order reversed; Defendant to pay 10 <i>s.</i> costs.
9 "	" " "	" " "	Two months	Order varied to one month.
8 "	" " "	" " "	Two months	" " "
18 "	Constable John B. Doyle	James Moorhead	Two months	Affirmed.
18 "	" " "	" " "	Six months	Order varied to two months' imprisonment, and 10 <i>s.</i> costs.
10 "	Constable John Holmsted	James Barton	One month	Affirmed.
19 "	" " "	" " "	Two months	Reversed.
25 "	Sarah Hickin	Thomas Hickin	Three months	Order varied to two days.
2 July	Constable James W. Hutchings	Michael Lergy	Fined 20 <i>s.</i> , and costs	Reversed.
1 August	Herl Constable Congreve	Patrick Dowd	Fined 5 <i>l.</i>	Affirmed.
5 "	The Mayor and others	Thomas Fisher	Fined 5 <i>l.</i>	Order varied to a fine of 2 <i>l.</i> , with 20 <i>s.</i> costs.
2 October	District Inspector Townsend	Patrick Duggan	Application for removal of spirit house.	Withdrawn.
21 "	Constable George Egan	John Robinson	Three months	Order varied to a fine of 1 <i>l.</i> , and 10 <i>s.</i> costs.
27 "	William Kennedy	Andrew Hamilton	Decree for 4 <i>l.</i>	Affirmed, with 10 <i>s.</i> costs.
12 November	Belfast Water Commissioners	Andrew Rogers	Decree for 4 <i>l.</i> 3 <i>s.</i> 4 <i>d.</i> , and 5 <i>s.</i> costs.	Affirmed.
11 December	The Mayor and others	Alexander Dunlop	To take down premises alleged to be inclosure on Newtownards-road, Belfast.	Reversed.
1886:				
3 June	The Mayor and others	James Dunn	Fined 30 <i>l.</i> and 2 <i>s.</i> costs	Order varied to a fine of 20 <i>l.</i>
3 "	" " "	" " "	Fined 5 <i>l.</i> , and 2 <i>s.</i> costs	Order affirmed, with 10 <i>s.</i> costs.
19 "	Constable John Robbitt	Robert Corbale	One month	Order varied to a fine of 10 <i>s.</i>
21 "	District Inspector Bell	William J. Ferguson	Four months	Order varied to one month.
21 "	" " "	John McFarland	Six months	Affirmed.
21 "	" " "	Alexander Gordon	Three months	Affirmed.
21 "	" " "	John Hinkley	Six months	Affirmed.
21 "	" " "	William Gordon	Two months	Reversed.
4 July	Head Constable Richard Doyle	Hugh Dewda	Two months	Order varied to a fine of 40 <i>s.</i> , and 10 <i>s.</i> costs.
22 "	Sergeant Patrick McElrath	James McLarnan	One month	Affirmed.
2 August	Sergeant Edward McCook	David McNeill	One month	Reversed.
2 "	" " "	" " "	Three months	Affirmed.
2 "	A. B. Charles Y. McChann	Adam Glasgow	Four months	Affirmed.
2 "	Constable Thomas Armstrong	John Montgomery	Four months	Affirmed.
2 "	" " "	David McClelland	Four months	Affirmed.
2 "	Constable Thomas Cunniff	John Barr	Two months	Reversed.
2 "	Constable James Magowan	John Gibson	Four months	Reversed.
2 "	Constable Thomas Armstrong	William Fraser	Five months	Affirmed.
2 "	Constable Thomas Kenny	Thomas Taylor	Three months	Reversed.
2 "	Constable Thomas Armstrong	Arthur Tobin	Four months	Reversed.
2 "	" " "	James Tuten	Four months	Reversed.
2 "	Constable Patrick McQuade	William Moore	Two months	Reversed.
9 "	Constable Robert Kerr	John McMillan	Six months	Reversed.
10 "	Sergeant Thomas Jones	Matthew McCook	Fined 1 <i>l.</i> 1 <i>s.</i> , and 1 <i>s.</i> 6 <i>d.</i> costs.	Affirmed.
19 "	Constable Charles R. Whelan	" " "	Fined 1 <i>l.</i> 1 <i>s.</i> , and 1 <i>s.</i> 6 <i>d.</i> costs.	Affirmed.
19 "	Sergeant Owen Madden	William McIlvench	Fined 2 <i>l.</i> , and 1 <i>s.</i> 6 <i>d.</i> costs	Affirmed.

List of Appeals against Decisions of the Magistrates in the Belfast Police Courts, &c.—continued.

Date of Order.	Complainant.	Defendant.	Order of Magistrates.	Order of Recorder.
1886—contd.				
26 August	Sergeant Thomas Kane	Margaret Rice	Two months	Affirmed.
27 "	District Inspector Pearson	William Malone	Fined £1 1s. 6d., and 1s. 6d. costs.	Affirmed.
28 "	Sergeant Thomas Jones	Michael Fraser	Fined £2 1s. 6d., and 1s. 6d. costs.	Withdrawn.
30 "	District Inspector Martin	Doris Maguire	Two months	Order varied to a fine of 20s., and 10s. costs.
21 September	Annie Kelly	Michael Shanks	Detention for 14, 15s., and 2s. costs.	Reversed.
4 October	Constance Donohoe	William Hunter	Two months	Order varied to a fine of 4s., and 10s. costs.
4 "	Thomas Donohoe	Arthur McQuaid	Two months	Reversed.
11 "	Sergeant Hugh Massey	Patrick McCooke	Six months	Adjourned.
14 "	Ernest Rudenwick	District Inspector Bull	Refusing to renew spirit licence.	Appeal not entered.
16 "	Patrick McNeill	" " same	" " same	" " same.
15 December	Constable John Maguire	Thomas McCully	Two months	Order varied to a fine of 2s., and costs.
16 "	" " same	" " same	Two months	" " same.
16 "	Constable Thomas H. Hughes	Eliza J. Robinson	One month	" " same.
29 "	Constable Robert McCoy	James Webb	Six months	Affirmed.
1887.				
6 February	Constable Thomas H. Hughes	Robert G. McCannell	One month	Order varied to one day's imprisonment.
8 "	" " same	" " same	Six months	Affirmed.
8 "	" " same	" " same	Six months	Order varied to one day's imprisonment.
14 "	A. B. Wilson	John McAlair	Two months	Affirmed.
14 "	" " same	Charles McAlair	Two months	" " same.
17 "	Constable James Bennett	Michael Long	Fined 5s., and costs	" " same.
17 "	" " same	Doris Marr	Fined 40s., and costs	" " same.
17 "	" " same	William McBurney	Fined 40s., and costs	" " same.
17 "	" " same	John Savage	Fined 40s., and costs	Affirmed.
24 March	Constable James Murphy	Henry Craig	Three months	Order varied to a fine of 5s., and costs.
30 "	Sergeant Edward McCooke	Thomas J. Deane	Two months	Affirmed.
6 April	Sergeant Andrew Thompson	John Monaghan	One month	" " same.
6 "	" " same	" " same	Six months	" " same.
27 "	Constable Martin Mulvihill	Patrick Maguire	Two months	Order varied, Defendant to enter into a recognisance in 50s. to keep the peace.
27 "	" " same	" " same	One month	Order varied to a fine of 5s.
4 May	Constable Sam Proby	John Goldham	One month	Order varied to a fine of 2s., and costs.

SUMMARY.

Number of Appeals during period referred to	109
Number not Entered	2
Number Affirmed	47
Number Reversed	21
Number Varied	26
Number Withdrawn	8
Number Adjourned	1

Appendix, No. 2.

PAPER handed in by Dr. Dempsey.

BOROUGH OF BELFAST.

At a meeting of Magistrates of the Borough of Belfast, held in the Town Hall, on the 28th day of June 1886, the Mayor (Sir E. J. Harland, Bart.) presiding, it was resolved that the following Magistrates should attend the Courts on the days set opposite to their respective names, viz. :—

The Hon. William F. Forbes, M.P. } Daily.
 Felix Joseph McCarthy, Esq., M.P. }

Monday :—

William John Johnston, Esq.
 Arthur Hamill, Esq.
 Thomas Gaffikin, Esq.
 John Arnott Taylor, Esq.
 Alex. Dempsey, Esq., M.D.
 William Dobbin, Esq.
 Robert M'Mullan, Esq.
 Robert Armstrong, Esq.
 David B. Lytle, Esq.
 Thomas Shaw, Esq.

Tuesday :—

Samuel Browne, Esq., M.D., R.N.
 Francis D. Ward, Esq.
 Edward Hughes, Esq.
 George Horner, Esq.
 Thomas H. Browne, Esq.
 William S. Baird, Esq.
 John J. Shillington, Esq.
 Robert W. Murray, Esq.
 William McCummond, Esq.
 Michael R. O'Malley, Esq., M.D.

Wednesday :—

Sir John Preston, Knt.
 Thomas S. Dixon, Esq.
 Samuel Andrews, Esq.
 James H. Haslett, Esq.
 Thomas R. Coffrey, Esq.
 Edward W. Keegan, Esq.
 John Pim, Esq.
 David Corbett, Esq.
 James Ross, Esq.
 Jonathan Phoenix, Esq.

Thursday :—

William Hall, Esq.
 Samuel Lawther, Esq.
 John Shaw Brown, Esq.
 Walberforce Arnold, Esq., M.D.
 Alexander McLeane, Esq.
 Joseph R. T. Mulholland, Esq.
 James T. Blackwood, Esq.
 Henry Thompson, Esq.
 Joseph H. Lytle, Esq.
 Alfred Jaffe, Esq.

Friday :—

John Browne, Esq.
 Thomas McClelland, Esq.
 William Robertson, Esq.
 John Workman, Esq.
 William C. Mitchell, Esq.
 Robert Megaw, Esq.
 Michael McGee, Esq., M.D.
 William Close, Esq.
 Robert Henry S. Reade, Esq.
 Samuel Johnston, Esq.

Saturday :—

Robert L. Hamilton, Esq.
 Robert McGrath, Esq.
 Robert W. Gordon, Esq.
 Richard Patterson, Esq.
 Alexander Harkin, Esq., M.D.
 John A. Lindsay, Esq.

The Courts open at 10 a.m. daily. The Summons Court does not sit upon Saturdays.

Robert A. Henry, Chief Clerk.

Appendix, No. 3.

PAPER handed in by Father Tohill.

EXTRACT from the "Morning News," Belfast, Tuesday, 2nd August 1887.

BELFAST MUNICIPAL REGULATION BILL.

WHEREAS a Bill entitled "Municipal Regulation (Constabulary, &c.) Belfast Bill," has been read a second time in the House of Commons, and a motion has been made to refer it to a Select Committee, and whereas the said Bill proposes the appointment of a Watch Committee in Belfast, and various other changes affecting our body—he it resolved that we, the Catholics of Belfast in public meeting assembled, forming 30 per cent. of the population, and numbering 70,000 souls, do hereby protest in the most solemn manner against the creation of said Watch Committee under whatever name, for the following amongst other reasons:—

(a) Because the creation of such a body would be in utter opposition to the overwhelming mass of evidence given before the Royal Commission appointed by the present Government under a special Act of Parliament to inquire into the disastrous riots of last year; to the evidence of the police authorities; and to the solid, united evidence of the body we represent.

(b) Because as the members of the said Watch Committee are to be borough justices, in whom our body have no confidence, and because the Town Council, in which we have neither confidence nor representation, is empowered to nominate a part of said committee, while the Bill itself is a condemnation of the Borough Justices and the Town Council, although the functions for which they have been declared unfit are indirectly committed to them under another name. We, therefore, protest against such "a hybrid board," whether it be called a Watch Committee, as in Mr. McHardy's report, a Magisterial Police Board, or, as in the Town Council's recommendations, a Local Committee or Consultative Committee.

(c) Because the creation of such a body is in direct opposition to, is the direct negative of, the recommendations contained in the majority report, the report of four out of the five Royal Commissioners.

(d) Because the creation of such a body has only the support of the Town Council, and that such support is tainted and discredited, from the fact that a recent Act of Parliament has decreed the extinction of the present Town Council in November next, inasmuch as they are not fully representative of the tax-paying population of the town.

(e) Because the creation of such a body would be a reversion of the state of things condemned by another Royal Commission in the year 1864, which caused the old local force to be suppressed and the Royal Irish Constabulary substituted therefor under the control of a town inspector, who is, and in our opinion ought to be, the authority solely responsible for the peace of the borough.

(f) Because out of the 200 witnesses examined before the Royal Commission only three of them, and all three members of the Town Council, could be cited in his minority report by Mr. McHardy in favour of the creation of such a body.

(g) Because as regards the assessment of damages in claims for malicious injuries, we protest against the proposals in the Bill constituting the Watch Committee as the primary tribunal, inasmuch as Sir Michael Hicks Beach, the then Irish Chief Secretary, and Mr. Holmes, the then Attorney General for Ireland, gave a distinct promise to a deputation from our body in the Irish Office, in London, in August last, that legislative effect would be given to our respectful demands for the establishment of an independent tribunal to adjudicate on such claims and with a right of appeal.

(A) For these and for many further other reasons with which we do not think it needful to burden our protest, we, the Catholic inhabitants of Belfast, in public meeting assembled, and heartily desirous for the peace and welfare of the town, protest against the creation of any such local body, be its name or constitution what it may, empowered to exercise the functions proposed by the Bill to be conferred on a Watch Committee.

I N D E X

TO THE

R E P O R T

FROM THE

SELECT COMMITTEE

ON

MUNICIPAL REGULATION (CONSTABULARY, &c.) (BELFAST) BILL.

*Ordered, by The House of Commons, to be Printed,
15 August 1887.*

LONDON:
PRINTED BY HENRY HANSARD AND SON;
AND
Published by EYRE and SPOTTISWOOD, East Harding-street, London, E.C.,
and 32, Abingdon-street, Westminster, S.W.;
ADAM and CHARLES BLACK, North Bridge, Edinburgh;
and HODGES, FIGGIS, and Co., 104, Grafton-street, Dublin.

I N D E X.

[*N.B.*—In this Index the *Figures* following the Names of the Witnesses, and those in the *Analysis* of Evidence of each Witness, refer to the Questions in the Evidence; and the *Figures* following *App.* to the Pages in the Appendix.]

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Report, 1887—continued.

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HARBOUR COMMISSION (DOCKS):

1. *Constitution of the Commission.*
2. *Administration of the Docks, Quays, &c.; Revenue and Expenditure.*
3. *Harbour Police; Question of Employment of the Irish Constabulary.*
4. *Lighting.*
5. *Question of Valuation and Rating.*

1. *Constitution of the Commission:*

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2. *Administration of the Docks, Quays, &c.; Revenue and Expenditure:*

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2. *Harbour Police; Question of the Employment of the Irish Constabulary*—contd. and protecting the goods, night watchmen being provided by the consignees of the goods, *Currie* 396-404.

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4. *Lighting:*

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5. *Question of Valuation and Rating:*

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Offer made by the Corporation on several occasions to watch and light the property of the Harbour Board; refusal of this offer by the board, harbour police being alone employed, 585-590. 643-650.—Obligation upon the Harbour Board to watch the goods of merchants, such goods being stored in sheds upon their premises, 590-594. 648-650.

Great difficulty in working out the proportion of exemption from rating sought for by the Harbour Board; uncertainty as to the liability in compensation for malicious injury, 596. 641, 642.—Anomaly if the harbour property were liable to the extent of only one-fourth for injury to persons, whilst they are fully liable for injury to goods and premises, 597-602.—Entire inadequacy of the harbour police to cope with riots, though they are an excellent body as watchmen, 603-605.

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Approval, on the whole, of the appointment of a watch committee, though, as regards the closing of public-houses in times of riot and the stoppage of processions, the mayor has now sufficient authority, 889, 890. 894, 895.—Satisfaction expressed with the establishment of penalties under the Bill, 891-893.—Doubt as to persons on trial having any strong objection to the magistrates on the bench not being of their own religious persuasion, 896.

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[Third Examination.]—Expediency of the Chief Police Commissioner as well as the sub-inspectors being permanently located in Belfast and being properly remunerated; willingness of the people of the town to join with the Government in paying increased salaries to these officers, 1195-1200.

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I.

Imprisonment of Rioters. See *Fines and Imprisonments.*

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Legal Expenses (Watch Committee). Expediency of some definition of the legal expenses of the watch committee to be paid by the Corporation, *Haslett* 919-923.

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London Dock Companies. Explanation on the subject of the London Dock Companies employing their own watchmen, and being at the same time fully liable for the rates of the metropolis; absence of analogy between this case and that of the Belfast Harbour Board, *Carrie* 505-515.

Londonderry Harbour Trust. Circumstances of the Londonderry Harbour Trust not paying any police rate, as having a special police of their own, *Carrie* 454.

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M.

McClelland, Thomas. (Analysis of his Evidence).—Witness, who is a solicitor of fifty years' standing and is President of the Northern Law Society, has resided for nearly thirty years in Belfast, and has been a justice of the peace for the borough for seven or eight years, 1711-1716.

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irrespective of the question of riots, 1783-1785, 1743—Advocacy of the appointment of two paid magistrates, who should be barristers or solicitors of ten years' standing, removable at the pleasure of the Lord Lieutenant, 1724-1726, 1729, 1730, 1750-1762, 1770-1792—Peculiar effect of the interference of the local magistrates in the streets in times of riots, 1727, 1728, 1778-1780.

Approval of the two paid magistrates sitting separately in trying cases under the Crimes Act of this year, 1731-1734—Regular attendance of witness in the summons court; belief that his services there have given satisfaction, 1735, 1781, 1782—Instances of attempts to canvass witness before cases came on; belief as to other magistrates having been canvassed, 1728-1740.

Necessary want of uniformity in sentences under the system of attendances of the magistrates, 1741, 1742—Several grounds upon which witness strongly objects to the proposed watch committee, its constitution, and functions; belief that this body would not secure the confidence of the public, 1744-1746, 1751-1754—Expected refusal of Catholics, if a small minority, to act upon the watch committee, 1746-1749.

Conclusion that the only solution of the difficulty as to the preservation of order is to entrust full power and responsibility to the Commissioner of Police; obstruction and disturbance if interfered with by a watch committee, 1750-1755, 1780-1788—Statement as to the present Commissioner of Police (Mr. Cameron) exercising full control in the matter of processions, funerals, &c., 1750, 1799-1809—Expediency of the Police Commissioner being a magistrate, 1755.

Suggestion that compensation cases for malicious injuries should be dealt with by a judicial arbitrator appointed by the Board of Trade, with an appeal to the judge of assize, with a jury of the county, 1756, 1757, 1787, 1798—Explanation respecting certain evidence of witness before the Royal Commission to the effect that he was not aware of any partiality on the part of the magistrates, but that they were canvassed as to attendance, 1763-1770.

Advantage of legal training in borough magistrates, though not essential in all cases, 1783, 1784—Opinion that one of the two paid magistrates should be a Catholic, 1789—Power of the town council in the matter of bye-laws for the stopping of processions, &c.; authority exercised hereon by the Commissioner of Police, 1799-1809.

MAGISTRATES:

1. *Practice as to the Attendance of the Borough Magistrates on the Bench.*
2. *Mode in which they have discharged their Judicial Functions.*
3. *Question as to the Canvassing of Magistrates in order to influence their Attendance and Decisions.*
4. *Conflicting Evidence respecting the proposed Withdrawal of Judicial Functions.*
5. *Roman Catholic Magistrates.*

1. Practice as to the Attendance of the Borough Magistrates on the Bench:

Fairly good attendance of the borough magistrates when witness has been in Belfast, and has sat as a magistrate, *Thynne* 239-246—Arrangement formerly between the borough magistrates of Belfast as to the daily attendance of two or three of their number at each of the two police courts; probability that the practice as to attendance has altered within the last three or four years, *T. Hamilton* 674-676, 707, 750-754—Expediency of the attendance of the borough magistrates being regulated strictly according to the roster kept, *ib.* 765, 767, 774, 830.

Practice as to fixing the attendance of the borough magistrates in the two courts, there being a rota for attendance; particulars hereon as to the actual attendance in 1885, 1886, and 1887, *Hanlett* 856-870—Attendance of only a minority of the magistrates on the bench; number of attendances of members of the town council, the latter members being all Protestants, *ib.* 863-866, 1060-1075—Total of about seventy magistrates, of whom from twenty-four to twenty-eight attend, *ib.* 863-866—Maximum of sixty-seven attendances in one case in 1885, of fifty-five in 1886, and of fifty-one in 1887, *ib.* 867.

Regular attendance of witness upon the bench, *R. L. Hamilton* 1150-1153—Explanation in connection with the rota of attendance, different men sitting on different days; conclusion as to the want of uniformity of sentences under this system, *Denney* 1551-1556—Regular attendance of witness in the summons court; belief that his services there have given satisfaction, *Mr. Clelland* 1735, 1781, 1782.

Returns of the attendance of magistrates at police courts during the twelve months ending 31st August 1885, *App.* 129—Similar return for the twelve months ending 31st August

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1. *Practice as to the Attendance of the Borough Magistrates, &c.—continued.*

31st August 1886, *App.* 129—Similar return for the eleven months ending 31st July 1887, *ib.* 130.

Resolution passed at a meeting of the magistrates on 28th June 1886, providing for daily attendance according to *rotas*, *App.* 131.

2. *Made in which they have Discharged their Judicial Functions:*

Belief that the bulk of the magistrates have done their duties well, *Sir R. Butler* 149. 161—Result of witness' experience in Belfast, that he considers the borough magistrates have, as a rule, exercised their jurisdiction fairly and impartially, as much so as the magistrates have done in any other part of Ireland, *Thynne* 301-310—Belief as to the useful services rendered by the borough magistrates in the administration of justice; dissent hereon from certain evidence of Captain Forbes before the Royal Commission, *T. Hamilton* 677, 678. 755-765. 783. 814-818.

Belief that the local magistrates have discharged their duties faithfully and well, and with general acceptance to the public, *Hoslett* 874, 875. 888—Advantages in having commercial men on the bench in cases of a commercial character, *ib.* 874—Indignant repudiation by the magistrates of the insinuations made by several witnesses before the Commission respecting the mode in which they have exercised their judicial functions; resolution passed on the subject, *ib.* 877—Explanation that Dr. Dempsey, who dissented from the resolution passed by the magistrates, disagreed only upon the question of appointment of the watch committee, *ib.* 878, 879.

Doubt as to persons on trial having any strong objection to the magistrates on the bench not being of their own religious persuasion, *Hoslett* 896—Denial that there is any immunity from punishment in the case of Orangemen brought before the local justices for breaking the law, *ib.* 944-952—Differences at times between witness and other magistrates, *ib.* 950-952. 957—Denial that the Protestant magistrates (as from the lower council) carry their religious or political sentiments on to the bench, *ib.* 1075-1080.

Friendly co-operation of witness and the local magistrates generally with the resident magistrates; absence of any friction till within the last two years, *R. L. Hamilton* 1107, 1108—Reprobation of the insinuation that the borough magistrates have not acted fairly or impartially, and have been influenced on the bench by their political and religious views, *ib.* 1111—Denial that the local justices are regarded by the rival parties in the town with "constant suspicion which enormously militates against the weight of their decisions," *ib.* 1136-1138.

Statement as to witness having abstained from attending when riot cases were before the resident magistrates, *R. L. Hamilton* 1138-1140—Very small percentage of cases in which magistrates with legal knowledge are required; want rather of commercial knowledge, *ib.* 1160.

Impartial decisions of the magistrates; witness having never seen any bias, *Patterson* 1174.

Very objectionable composition of the local magistrates in so far as many of them are engaged in various retail trades, and are thereby accessible to the people who are likely to be brought before them in court, *Boswell* 1213—Frequent want of uniformity between the sentences passed under similar circumstances: that is, through the varying constitution of the bench, *ib.* 1236, 1237—Examination as to witness' opportunities for obtaining information respecting the working of the courts, &c.; probability that he is in the courts as many as 150 times during the year, *ib.* 1275-1287. 1300-1303—Actual instances within witness' knowledge of varying and inconsistent sentences for similar offences, this being due to the different composition of the bench at different times, *ib.* 1303-1309. 1343, 1344. 1410.

Consideration of the evidence of Colonel Forbes and other witnesses before the Royal Commission as to the partial and unequal punishments awarded by the borough magistrates, *Todd* 1415-1417. 1480-1490—Want of uniformity in the decisions upon similar cases, *ib.* 1415.

Witness has been a borough magistrate at Belfast for about six years, but for the last year has practically ceased to attend the bench, as not being satisfied with the way in which justice was administered, *Dempsey* 1537-1541. 1553, 1554—General want of confidence in the decisions of the borough magistrates in party cases; witness considers there is good ground for this feeling, *ib.* 1544-1550—There are two courts, a summons court and a custody court, *ib.* 1550, 1551.

Partial sentences imposed by the magistrates, as being actuated by creed and party feeling, *Dempsey* 1557-1574. 1694—Demoralising effect upon the police through the feeling that the magistrates act partially upon the bench, *ib.* 1576, 1579. 1664-1668—Opinion that the local justices should not take part in the decision of wages cases or other commercial cases in which they themselves may be interested, *ib.* 1581-1583.

*MAGISTRATES—continued.*2. *Made in which they have Discharged their Judicial Functions—continued.*

Aggregate of about 24,000 cases tried yearly at the police courts, each case occupying an average time of from three to five minutes; much longer time required in order that strict justice may be done, *Dempsey* 1563-1565, 1660-1664—The rule is, in order to get through business, to believe everything a policeman says and then to pronounce straight off, *ib.* 1565.

Necessary want of uniformity in sentences under the system of attendances of the magistrates, *McClelland* 1741, 1742—Advantage of legal training as borough magistrates, though not essential in all cases, *ib.* 1783, 1784.

3. *Question as to the Convincing of Magistrates in order to influence their Attendance and Decisions:*

Circumstance of witness having been asked to attend the bench when men utterly opposed to him in religion and politics have been on trial, whilst he has never been asked to attend when men of his own party are to be tried; denial that there is any system of canvassing the magistrates, or that it is usual to do so, *Haskell* 958-967.

Statement that in the Protestant districts there is scarcely a person arrested who has not some friend who can influence a magistrate; grounds for the assertion that cases often occur where particular magistrates are approached and are induced to attend on party questions, *Burman* 1213-1224—Explanation that witness does not charge corrupt influence against the local magistrates, though it has been attempted as to influence them, *ib.* 1401-1402.

Practice of canvassing the magistrates before cases are adjudicated upon, *Dempsey* 1547-1550—Personal experience of witness as to magistrates being canvassed when cases are coming on before the bench, *ib.* 1669-1677, 1685-1692.

Instances of attempts to canvass witness before cases come on; belief as to other magistrates having been canvassed, *McClelland* 1736-1740—Explanation respecting certain evidence of witness before the Royal Commission to the effect that he was not aware of any partiality on the part of the magistrates, but that they were canvassed as to attendance, *ib.* 1783, 1770.

4. *Conflicting Evidence respecting the proposed withdrawal of Judicial Functions:*

Statement on the subject of the jurisdiction still to be exercised by the borough magistrates after the appointment of the stipendiary magistrates, *Sir R. Baller* 17-20—Reference to the Report of the Royal Commission as containing sufficient grounds for the withdrawal of petty sessions duties from the borough magistrates; belief among the people as to the partiality of the magistrates, *ib.* 147-151, 187-191.

Opinion that it would not be any advantage to take away all judicial functions from the local justices, *T. Hamilton* 679—Conclusion that with regulated attendances, and with the stipendiary magistrate as chairman, as a matter of right justice would be properly administered, though on a place like Belfast one party or the other will constantly be dissatisfied with the decisions, 760-769, 774, 787-793—Confidence further expressed in the borough magistrates in police cases; reference hereon to the complaints made in Cork and elsewhere, as well as in Belfast, with the decisions of the local magistrates, *ib.* 783, 804-809, 811-818, 836, 837, 840, 842-843.

Advocacy of the retention of the jurisdiction of the borough magistrates, two paid or resident magistrates being at the same time selected from the existing magistracy, *Haskell* 835-874, 887, 888.

Strong disapproval of the proposed removal of jurisdiction from the borough magistrates; very beneficial services rendered by them to the community at large, whilst they had no part whatever in the origination or continuance of the late riots, *R. L. Hamilton* 1106-1108, 1156.

Great mischief to the town if the local magistrates were deprived of their judicial functions on the bench; effect, moreover, in lowering the class of men who would serve on the bench, *Patterson* 1171-1177, 1185-1192.

Conclusion that the judicial functions of the borough magistrates should be superseded as regards adjudicating upon cases in the Petty Sessions Court, *Burman* 1225, 1226—Desert from the view that the status of the local magistrates would be lowered if they were relieved of judicial functions on the bench; great advantage in any case as regards the preservation of order, *ib.* 1260, 1270—Very limited extent to which any but Nationalists advocate the withdrawal of judicial functions from the local magistrates, *ib.* 1335, 1336—Conclusion further expressed as to the expediency of the borough magistrates not sitting on the bench; impression widely existing that justice is not now administered according to law and equity, *ib.* 1345-1369, 1378-1384.

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4. *Conflicting Evidence, &c.*—continued.

Several grounds upon which it is strongly urged that the borough magistrates should be relieved from adjudication upon the bench, *Tobin* 1414-1418.—Entire absence of confidence on the part of Catholics in the decisions of the magistrates (some of whom are prominent Orangemen) in party cases; concurrence of evidence on the part of Colonel Forbes and others to this effect before the Royal Commission, *ib.* 1415-1417.

Witness approves of the recommendations of the majority of the Royal Commissioners, and is decidedly of opinion that the borough justices should be relieved of their judicial functions in the police courts, *Dempsey* 1543-1544.—Representation by witness only of his own creed and party in urging the withdrawal of judicial functions from the borough justice; the majority of the inhabitants are probably opposed to this course, *ib.* 1678, 1679, 1694, 1695.

Decided opinion that the local magistrates should not adjudicate upon the bench, irrespectively of the question of riots, *McClelland* 1723-1725, 1743.

Expediency of the local magistrates ceasing to adjudicate on the bench, as not giving satisfaction to the people, *Hagler* 1818, 1819.—Concurrence in the foregoing view, *O'Hare* 1848.

5. *Roman Catholic Magistrates:*

Several Roman Catholic magistrates on the borough bench who gave regular attendance when witness was resident magistrate at Belfast four years ago, *T. Hamilton* 828, 840, 844-848.—Proportionate attendance of Roman Catholic magistrates on the bench; attendance of a small number since the Riots Commission, *Hailett* 955, 957, 968-971.

Exceedingly inadequate representation of Catholics as regards the attendance of Catholic magistrates on the bench, whilst the Catholic body have no confidence in the decisions of the bench, *Tobin* 1417, 1452-1474, 1533-1535.

Very small attendance of Roman Catholic magistrates, there being only eleven such magistrates altogether, *Dempsey* 1553-1555, 1577.—Concurrence among the Catholic justices as to the expediency of the magistrates generally being relieved of their powers on the bench, *ib.* 1577-1580, 1590.

<i>See also Appeals.</i>	<i>Fines and Imprisonment.</i>	<i>Local Influence and Control.</i>
<i>Paid or Resident Magistrates.</i>	<i>Police.</i>	<i>Riots.</i>
<i>Commission.</i>	<i>Watch Committee.</i>	<i>Roman Catholics.</i>
		<i>Royal</i>

Mersey Docks and Harbour Board. Statement to the effect that the Mersey Docks and Harbour Board are under the one-fourth clause in respect of almost every rate levied by the Liverpool Corporation, *Currie* 454-460, 505.

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Night Watch Duty (Police Force). Extra payment of sixpence a night allowed to those men who serve on the night watch, *Thynne* 217-219.—Estimate of 1,550*l.* as the extra annual charge under the Bill for night watch duty; payment of an extra sixpence per night to those men who serve on this duty, *Hailett* 650, 651, 653, 658-664.

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O'Hare, William. (Analysis of his Evidence, &c.)—Witness, who is a trader and house owner at Belfast, concurs in the evidence of Mr. Dempsey with reference to the functions of the borough magistrates, the question of a watch committee, the powers of the Commissioner of Police, &c., 1845-1848, 1860, 1861.

Suggestion that cases of compensation for injury might be dealt with by the judge under the proposed Bankruptcy Act for Belfast, 1847, 1848, 1858.—Want of an extension of the time within which to make declaration in respect of compensation claims, 1850.—Opinion that the provisions as to compensation should be retrospective, and should apply to injuries to life and limb as well as to injuries to property, 1851-1853, 1859-1867.

Expediency of the town council being under obligation to call a meeting of the citizens before promoting legislation, 1854, 1855.—Approval of a substantial money penalty for disobeying orders for the closing of public-houses, 1856, 1857.

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PAID OR RESIDENT MAGISTRATES:

Approval of the proposed appointment of two stipendiary magistrates, witness preferring two resident magistrates to barristers of seven years' standing, *Sir R. Butler* 13-16. 49-52.—Very full concession to Belfast under the provision that the town council shall pay one-fourth of the salaries of the two magistrates, *ib.* 13-16. 49-52. 160, 161.

Consideration of objections to the proposal that the jurisdiction in petty sessions should be conferred upon two resident magistrates, one of whom should have legal knowledge; approval of the exercise of jurisdiction by one magistrate sitting alone, *Sir R. Butler* 68-81. 159-158.—Advantage in the selection of two resident magistrates, with legal qualification, as police magistrates, rather than in permanently appointing barristers of seven years' standing, *ib.* 152-155.—Moderate increase of salary to be given to the police magistrates beyond that paid to the ordinary resident magistrates, *ib.* 159.

Decided opinion that in a town like Belfast the law should be administered by paid magistrates, *Thynne* 231.—Grounds for the conclusion that two men with the qualification of barristers should be selected from the present body of resident magistrates (seventy-two in number) rather than that two police magistrates be appointed permanently, *ib.* 231-238. 247-250. 324, 325.—Approval of the law being administered in Belfast and in every large town in Ireland by police magistrates, *ib.* 311-314.

Improvement if the paid or resident magistrate were, as a matter of right, chairman of the court, *T. Hamilton* 679-681. 766, 767.—Opinion as to the sufficiency of two resident magistrates, selected from the borough magistrates, for the administration of summary jurisdiction in the police courts; advantage in their being liable to removal, *ib.* 681-684.—Legal knowledge of witness, though not a barrister; experience for twenty years as a magistrate, whilst appeals from his decisions have, as arduous, failed, *ib.* 685-692.

Result of witness' experience that he considers two resident magistrates selected from the existing magistracy would meet all the judicial requirements of Belfast, the jurisdiction of the borough magistrates being retained, *Hastett* 856-874. 887, 888.—Circumstances of the borough not having exercised its power under the Municipal Corporations Act to apply for a stipendiary magistrate, *ib.* 884-886.—Conclusion further expressed as to the advantage of appointing two resident magistrates from the existing body rather than of adopting the proposal in the Bill, *ib.* 887, 888.—Necessity of the resident magistrates having the aid of some legal magistrates, or of deputies, *ib.* 925.

Sufficiency of two resident magistrates if first-class men; great aggravation of riots, on the other hand, if a magistrate should adjudicate upon cases arising out of disturbances which he has taken part in quelling, *Hastett* 1086-1092.

Instances of the severe sentences sometimes passed by the resident magistrates, *R. L. Hamilton* 1151-1159.—Importance attached to the proposal in the Bill for the appointment of two trained resident magistrates for the administration of the law, *Brewster* 1227.—Decided preference for the appointment of two practising barristers instead of two resident magistrates; objections to the latter as a class judicially, *ib.* 1266-1268. 137-81384.

Approval of the proposal in the Bill for the appointment of two paid magistrates who should be barristers of not less than seven years' standing, *Todd* 1419-1421.—Practice as to the two resident magistrates now sitting, work about, in the two courts, *Drumoy* 1584-1586.—Grounds for preferring that two paid magistrates should be taken from the bar, it being only fair that one of them should be a Catholic, *ib.* 1507-1502.—Objection to the paid magistrates having anything to do with keeping order in the streets, *ib.* 1505, 1506. 1608.

Advocacy of the appointment of two paid magistrates, who should be barristers or solicitors of ten years' standing, removable at the pleasure of the Lord Lieutenant, *McClelland* 1724-1728. 1729, 1730. 1769-1762. 1790-1796.—One of the two paid magistrates should be a Catholic, *ib.* 1789.—Satisfactory administration of justice if there were two paid magistrates, one being a Catholic, *Hughes* 1820-1812.

See also *Crimes Act. Magistrates. Police. Riots.*

Party Feeling. Approval of exceptional police arrangements in the case of Belfast, as being a very inflammable place, and much more liable to party riots than Dublin, *Sir R. Butler* 162-175. 180, 181. 195, 197.—Party feeling probably runs higher in Belfast than in any other town in Ireland, *Brewster* 1209.—Belief as to the worse condition of Belfast than of other large towns in Ireland as regards the destruction of property on party grounds, *ib.* 1343-1348. 1385-1390.

Statement to the effect that party feeling runs so high in Belfast that, consciously or unconsciously, the magistrates are lenient to prisoners of their own creed and party, whilst

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whilst they are severe upon those of the opposite party; grounds for this conclusion, *Downey* 1567-1574, 1694.—Instance during the last riots of the strong party feeling actuating the magistrates, *ib.* 1588, 1589.

See also *Processions, &c.* *Riots.*

Patterson, Richard. (Analysis of his Evidence.)—Witness, who is a borough magistrate, and carries on business in Belfast, submits that the borough magistracy fairly represent the wealth and intelligence of the town, 1168-1170.—Great misfortune to the town if the local magistrates were deprived of their judicial functions on the bench; effect, moreover, in lowering the class of men who would serve on the bench, 1171-1177, 1185-1191.—Impartial decisions of the magistrates, witness having never seen any bias, 1174.

Opinion that the recommendations of the Royal Commissioners respecting the borough magistrates are in conflict with the weight of evidence taken before them as well as with public opinion in Belfast, 1178-1184.—Difficulties attending the constitution of the proposed watch committee, witness submitting that the Roman Catholic party should be represented, 1193, 1194.

Penalties. Satisfaction expressed with the establishment of penalties under the Bill, *Hoslett* 891-893.—See also *Fines and Imprisonments.*

POLICE:

1. *Number and Constitution of the Force; increased Cost under the Bill.*
2. *Evidence in favour of the intervention of the proposed Watch Committee between the Chief of the Police and the Public.*
3. *Evidence in favour of Full Powers and Responsibility in the Chief Commissioner of Police, uncontrolled by a Watch Committee or by the Borough Magistrates.*

1. *Number and Constitution of the Force; increased Cost under the Bill:*

Conclusion as to the expediency of the police being entirely under the control of the Commissioner of Police, he being also a magistrate; assistance to be derived from the ordinary magistrates in times of emergency, *Sir R. Baker* 88-89.—Disapproval of the police in Belfast being allowed to carry rifles, *ib.* 176, 177.

Explanation in connection with the proposal in the Bill for increasing the constables, now paid out of the local rates, from 320 to 400, it being also provided that the free force may be increased from 380 to 400; deduction of five per cent. to be made for the training of men at the depot, *Thynne* 201-216.—Want of every man of the increased force proposed under the present Bill, *ib.* 333.

Approval of the police being armed with rifles on occasions of emergency, *Thynne* 336, 337.—Opinion that the constitution of the Belfast police is in some respects superior to that of the Dublin police, *ib.* 357.

Examination in detail in support of the conclusion that the net increase of cost for police under the Bill would be only 2,800 *l.*, the gross cost being 15,360 *l.*, as against 18,560 *l.* at the present time, *Hoslett* 576-584, 613-642, 651-663.

Importance of the Chief Police Commissioner, as well as the sub-inspectors, being permanently located in Belfast, and being properly remunerated; willingness of the people of the town to join with Government in paying an increased salary to these officers, *Hoslett* 1195-1200.—Expediency of the Police Commissioner being a magistrate, *Mc Clelland* 1755.

2. *Evidence in favour of the intervention of the proposed Watch Committee between the Chief of the Police and the Public:*

Statement in support of the conclusion that it is necessary to have some intermediary authority between the local Commissioners of Police and the public; dissent from the view of the majority of the Commissioners on this point, *Sir R. Baker* 25-30, 38.—Advantage farther attached to the watch committee as a "buffer" between the Police Commissioner and the public, *ib.* 98-101.—Dissent from the view that there would be an unwise division of responsibility between the watch committee and the Commissioner of Police; sole responsibility of the latter for the preservation of the peace, *ib.* 109-121.—Full responsibility to be borne by the Commissioner of Police, independently of the watch committee, *ib.* 182-186.

Great difficulty of the Commissioner of Police in preserving order if not assisted by the watch committee in the stoppage of processions, the closing of public-houses, &c.; the former should, however, be independent of the latter, *Thynne* 262-273.

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POLICE—continued.

2. Evidence in favour of the intervention of the proposed Watch Committee between the Chief of the Police and the Public—continued.

Examination to the effect that the chief police officer should be primarily responsible for the peace of the town, but that it should rest with the watch committee to prohibit processions and to close the public-houses, *Haslett* 972-989.

Undue responsibility upon the Chief Commissioner of Police if placed in undivided control of the local force, with sole charge of the peace of the town, *R. L. Hamilton* 1162-1165.

3. Evidence in favour of Full Powers and Responsibility in the Chief Commissioner of Police, uncontrolled by a Watch Committee or by the Borough Magistrate:

Decided objection to the local magistrates being allowed to interfere with the direction of the police and troops in times of riots, *Bosman* 1228, 1235, 1236—Conclusion that the Commissioner of Police should be directly responsible to his superior officer and to Government, and should have power to prohibit processions, bands, &c., without the interference of any committee, *ib.* 1243-1256, 1264, 1265, 1372-1377.

Decided opinion that the borough magistrates should be restrained from interfering with the control of the police in times of riot; concurrence of testimony as to the mischievous results of such interference during the riots of 1886, *Tobill* 1422-1424, 1495—Expediency of the Chief Commissioner being solely responsible for the peace of the town and the prevention and detection of crime, *ib.* 1424, 1426, 1431, 1436, 1456-1503—Proper duty of the Commissioner of Police, and not of a watch committee, to take steps for the prevention of crime; question hereon as to his responsibility, *ib.* 1426, 1431, 1436, 1456-1503—Repetition of objections on the ground that the Commissioner of Police should be directly responsible for the peace of the town without any control on the part of a watch committee, *ib.* 1510-1515.

Illustration at the time of Sir Stafford Northcote's visit to Belfast in 1883 of the importance of prompt and direct action of the chief of the police in preventing disorder, *Drumsey* 1586-1588—Examination to the effect that Belfast should be exceptionally treated as regards local administration, witness further advocating full power and individual responsibility in the chief of the police without any intervention of a watch committee, *ib.* 1650-1651, 1653-1710.

Conclusion that the only solution of the difficulty as to the preservation of order is to entrust full power and responsibility to the Commissioner of Police; obstruction and disturbance if interfered with by a watch committee, *McClelland* 1750-1755, 1786-1788—Approval of full powers in the Commissioner of Police, without any intervention of a watch committee, *Hagles* 1828; *O'Hare* 1848.

See also *Cameron, Mr.* Compensation. Harbour Committee (Docks). Night Watch Duty. Processions, Public-houses, &c. Riots. Watch Committee.

Police Courts. See Magistrates. Paid or Resident Magistrates.

Police Magistrates. See Paid or Resident Magistrates.

Processions, Public-houses, &c. Great help to the police in keeping the peace if processions were stopped by the watch committee, and if the public-houses were closed in times of excitement, *Sir R. Butler* 113-121—Consideration of the question of prohibiting processions under the proposed constitution of the watch committee, *T. Hamilton* 783, 833, 834, 854.

Approval on the whole of the appointment of a watch committee, though as regards the closing of public-houses in times of riot, and the stoppage of processions, the mayor has now sufficient authority, *Haslett* 889, 890, 894, 895—Further evidence to the effect that it should rest with the watch committee to prohibit processions and to close public-houses, *ib.* 972-989.

Importance of the prohibition of processions, bands, &c., resting with the chief officer of police instead of with the watch committee, *Drumsey* 1614, 1619-1621, 1625, 1643-1651—Control now exercised by the Commissioner of Police in the matter of processions, &c., *McClelland* 1750, 1799-1809—Power of the town council in the matter of bye-laws for the stoppage of processions, &c.; authority exercised hereon by the Commissioner of Police, *ib.* 1799-1809.

Explanation that the present Commissioner of Police has not power to stop a procession unless on formal proof that it is an obstruction, *Thynne* 1810-1813.

Approval of a substantial money penalty for disobeying orders for the closing of public-houses, *O'Hare* 1856, 1857.

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Protestant

Protestant Home Rule Association. Opportunities of witness for knowing the feelings of the Protestant party in Belfast, though officially he represents only 800 Protestants out of 150,000, *Bowman* 1322-1328.

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W.

WATCH COMMITTEE:

1. *Evidence in Approval of a Watch Committee, with Suggestions as to its Constitution.*
2. *Objections to a Watch Committee, especially if constituted as proposed by the Bill.*
3. *Non-adoption of an Amended Constitution, proposed by Mr. Sexton.*

1. *Evidence in Approval of a Watch Committee, with Suggestions as to its Constitution:*

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See also *Compensation. Legal Expenses. Police. Processions, &c.*

I N D E X

10 JUNE

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